The Department of Labor's 2002 Findings on the Worst Forms of Child Labor: Trade and Development Act of 2000

U.S. Department of Labor
The Department of Labor's 2002 Findings on the Worst Forms of Child Labor: Trade and Development Act of 2000

Keywords
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Comments
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2002 Findings on the Worst
Forms of Child Labor

Trade and Development Act of 2000
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Trade and Development Act of 2000

U.S. Department of Labor
Bureau of International Labor Affairs

2003
APR 18 2003

The Honorable President of the Senate
The Honorable Speaker
    of the House of Representatives

Dear Gentlemen:

The enclosed report, entitled "The Department of Labor's 2002 Findings on the Worst Forms of Child Labor," is submitted in accordance with section 504 of the Trade Act of 1974 (19 U.S.C. 2464). The report describes the efforts of 146 countries and territories to meet their international commitments to eliminate the worst forms of child labor. We hope this report will be useful to the Congress.

Sincerely,

[Signature]
Elaine L. Chao

Enclosure
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This report was prepared under the direction of Thomas B. Moorhead, Deputy Under Secretary for International Labor Affairs, Michael Magán and Jorge Perez-Lopez, Associate Deputy Under Secretaries for International Labor Affairs, Martha Newton, Chief of Staff, and Marcia Eugenio, Acting Director of the International Child Labor Program. Coordination of the report was by Christine G. Camillo, Charita Castro, Meghan Cronin, and Tina Faulkner, and the writing, editing and research was done by the International Child Labor Program staff, Maya Bhullar, Craig Davis, Sonia Firpi, Sharon Heller, Amy LeMar, Maury Mendenhall, Eileen Muirragui, Eileen Pennington, Veronica Puente-Duany, Deepa Ramesh, Vivita Rozenbergs, Ami Thakkar, Mirellise Vazquez, Patrick Wesner, and Kevin Willcutts.

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Foreword

A cornerstone of this Administration’s policy has always been the belief that free trade is essential for a strong global economy. When countries exchange goods in a free market, they are more likely to prosper economically. They are also more likely to be able to sustain a strong democracy, and provide health care and basic education to their children. Yet we know that in order for a free market to operate most effectively, it must be supported by protections for workers, including protections from exploitative child labor.

In this second annual report on the Department of Labor’s Findings on the Worst Forms of Child Labor, mandated under the Trade and Development Act of 2000, we highlight child labor in the 146 developing countries and territories designated as beneficiaries under several major U.S. Government trade programs. In the report, we describe the extent of child labor in these countries and territories, the type of work that children are doing, the laws and enforcement policies that exist to protect them and the efforts that have been made by their governments to meet international commitments to eliminate the worst forms of child labor. I hope that all members of society—including government agencies, labor unions, industry groups, researchers and nongovernmental organizations—who dedicate themselves to eliminating the worst forms of child labor—as well as others in the U.S. and around the world with an interest in learning more about this issue, will find the information in this publication pertinent to their needs.

While this report provides many examples of significant and successful efforts that have been undertaken to eliminate the worst forms of child labor, there is still much work to be done around the world to end the abuse and exploitation of children in the workplace. With the recent passage of Trade Promotion Authority under the Trade Act of 2002, we hope to further strengthen international awareness regarding the worst forms of child labor, as well as give impetus to new efforts for addressing this problem where they are needed.

Thomas B. Moorhead  
Deputy Under Secretary for International Affairs  
U.S. Department of Labor  
Washington, D.C.  
April 14, 2003
## Acronyms

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<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<tr>
<td>AGOA</td>
<td>African Growth and Opportunity Act</td>
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<tr>
<td>CBTPA</td>
<td>Caribbean Basin Trade Partnership Act</td>
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<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<tr>
<td>ECPAT</td>
<td>End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>FAO</td>
<td>Food and Agriculture Organization</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GNP</td>
<td>Gross National Product</td>
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<tr>
<td>GSP</td>
<td>Generalized System of Preferences</td>
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<td>ICLP</td>
<td>International Child Labor Program</td>
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<tr>
<td>IDB</td>
<td>Inter-American Development Bank</td>
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<tr>
<td>ILO Convention 138</td>
<td>International Labor Organization, Convention No. 138: Minimum Age for Admission to Employment</td>
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<tr>
<td>ILO Convention 182</td>
<td>International Labor Organization, Convention No. 182: Worst Forms of Child Labor</td>
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<tr>
<td>ILO-IPEC</td>
<td>International Labor Organization, International Program on the Elimination of Child Labor</td>
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<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>MERCOSUR</td>
<td>Common Market of the South (America); members include Argentina, Brazil, Paraguay, and Uruguay</td>
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<tr>
<td>MOU</td>
<td>Memorandum of Understanding</td>
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<td>NGO</td>
<td>Nongovernmental Organization</td>
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<td>OAS</td>
<td>Organization of American States</td>
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<td>OECS</td>
<td>Organization of Eastern Caribbean States</td>
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<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<td>SIMPOC</td>
<td>Statistical Information and Monitoring Program on Child Labor</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Program</td>
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<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
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<td>UNFPA</td>
<td>United Nations Population Fund</td>
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<td>United Nations Children’s Fund</td>
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<td>United States Agency for International Development</td>
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<td>USDOL</td>
<td>United States Department of Labor</td>
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<td>WFP</td>
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<td>WHO</td>
<td>World Health Organization</td>
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Congressional Mandate and Legislative Requirement

This report was prepared in accordance with Section 412(c) of the Trade and Development Act of 2000 (TDA), Pub.L. 106-200. Section 504 of the Trade Act of 1974 (Trade Act) requires the President to submit an annual report to the Congress on the status of internationally recognized worker rights within each beneficiary country. Section 412(c) of the TDA amended the Trade Act by expanding the annual report to include “the findings of the Secretary of Labor with respect to the beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.” The countries referenced in the legislation are those countries that may be designated as beneficiaries under the U.S. Generalized System of Preferences (GSP) and includes GSP countries designated to receive additional benefits under the Caribbean Basin Trade Partnership Act (CBTPA) and African Growth and Opportunity Act (AGOA).

Generalized System of Preferences

The GSP is a unilateral program that extends duty-free entry to a wide range of products from more than 140 designated developing countries and territories. The GSP program was enacted by Title V of the Trade Act of 1974. When the Trade and Tariff Act of 1984 reauthorized the program, new country practices eligibility criteria included a requirement that countries take steps to afford internationally recognized worker rights. The TDA expanded the GSP eligibility criteria further to include a new criterion on the Worst Forms of Child Labor. The new criterion specifies that the

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2 Ibid. See *infra* “The Worst Forms of Child Labor” and “Structure of the Report” for a discussion of the distinction between worst forms of child labor and child labor.

3 Ibid., vol. 19, § 2461.

4 The Caribbean Basin Trade Partnership Act, which constitutes Title II of the TDA, provides additional benefits to certain GSP eligible countries in Central America and the Caribbean. The CBTPA includes as a criterion for receiving benefits “whether a country has implemented its commitments to eliminate the worst forms of child labor.” The African Growth and Opportunity Act constitutes Title I of the TDA. H.R. Conf. Rep. No. 606, 106th Cong., 2nd Sess. 123 (2000) states that with regard to “additional trade benefits extended to African beneficiary countries… the conferrees intend that the GSP standard, including the provision with respect to the implementation of obligations to eliminate the worst forms of child labor, apply to eligibility for those additional benefits.” In addition to providing information on GSP beneficiaries’ efforts to eliminate the worst forms of child labor, this report also provides information on the efforts of CBTPA and AGAO beneficiaries.

5 *Trade and Development Act*, vol. 19, § 2461.


7 Ibid., vol. 19, § 2462(b)(2)(G) and (c)(7). Internationally recognized worker rights are defined to include the right of association; the right to organize and bargain collectively; a prohibition on the use of any form of forced or compulsory labor; a minimum age for the employment of children; and acceptable conditions of work with respect to minimum wage, hours of work and occupational safety and health. See *Trade and Development Act*, § 2467 (4). For a complete listing of ineligibility criteria under the GSP, see *Trade and Development Act*, § 2462 (b).
President shall not designate any country a beneficiary developing country if “[s]uch country has not implemented its commitments to eliminate the worst forms of child labor.”

**The Worst Forms of Child Labor**

The definition of the worst forms of child labor provided in the TDA is the same as the definition provided in the International Labor Organization’s (ILO) Convention No. 182 on the Worst Forms of Child Labor. Section 412(b) of the TDA defines “worst forms of child labor” as follows:

(A) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
(B) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic purposes;
(C) the use, procuring, or offering of a child for illicit activities in particular for the production and trafficking of drugs; and
(D) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

The work referred to in subparagraph (D) shall be determined by the laws, regulations, or competent authority of the beneficiary developing country involved.

While the language of ILO Convention 182 and the TDA provides a clear indication of three categories of the worst forms of child labor in subparagraphs A-C, it does not provide a universal definition of what constitutes a worst form of child labor, as reflected in the more general language of the convention with respect to the fourth category of the worst forms. Since there is no universally accepted set of activities that falls into subparagraph (D), ILO Recommendation 190 on the worst forms of child labor provides certain guidelines countries should consider in determining what constitutes a worst form of child labor under this category.

**Structure of the Report**

The report provides individual profiles on 125 independent countries and a summary report on 21 non-independent countries and territories designated as GSP beneficiaries and/or beneficiaries under the CBTPA and AGOA. Wherever possible, these profiles focus on the worst forms of child labor, rather than on child labor in general. However, the profiles do not always make this distinction. First, some governments have not yet determined what constitutes a worst form of child labor in their country or territory under subparagraph (D) of ILO Convention 182.

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9 Convention 182 requires ratifying countries to take measures to prohibit and eliminate the worst forms of child labor as a matter of urgency. The Convention, which was unanimously adopted by the International Labor Conference in 1999, is the most rapidly ratified international labor convention in the ILO’s history. By February 2003, over 130 countries had ratified Convention 182.
10 *Trade and Development Act*, vol.19, § 2467(6).
11 These guidelines include consideration of whether the work exposes children to abuse, if the work is conducted in an unhealthy environment, or if the work involves long hours, among other considerations.
Furthermore, because individual countries determine what constitutes a worst form of child labor under subparagraph (D), there is no universally accepted definition of all the worst forms of child labor. Finally, data and information on the incidence of the worst forms is often unavailable, due to the hidden nature of such activities. Therefore, the report presents as complete a picture as possible of the child labor situation in a country or territory. Each of the profiles consists of three sections: government policies and programs to eliminate the worst forms of child labor; incidence and nature of child labor; and child labor laws and enforcement.

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

To the extent that there is a problem in the country regarding the worst forms of child labor, this section describes government initiatives aimed at combating such practices. It is important to note, however, that it is often difficult to separate out those policies and programs that address only the worst forms of child labor from those that focus on child labor in general. In addition, although government efforts may not be focused on the worst forms of child labor, initiatives that improve family income or increase school attendance may have an impact on the worst forms of child labor. For these reasons, this section of the report provides information on both types of child labor initiatives where appropriate. Such initiatives include national plans of action or comprehensive policies to address the worst forms of child labor, which typically consist of a combination of strategies, including raising awareness about the worst forms of child labor, enhancing local capacity to address the problem, withdrawing children from exploitative work, and offering children educational alternatives. Each country’s government efforts may include those policies or programs that have received funding and technical assistance from international agencies, donor governments, and international financial institutions; and initiatives that are implemented and supported through nongovernmental organizations and in cooperation with other governments. Many countries have targeted programs to reduce child labor, often supported by the ILO’s International Program on the Elimination of Child Labor (IPEC) and other multilateral and bilateral donor agencies. These efforts frequently go beyond simply withdrawing children from the worst forms of child labor to include broader social programs to prevent the engagement of children in the worst forms of child labor; to ensure that these children have access to educational alternatives; and to access income generating opportunities for the children’s families that help reduce dependence on the labor of their children.

**Incidence and Nature of Child Labor**

This section reviews estimates of the incidence of child labor in each country or territory, and provides examples of the activities in which children work. It bears stating at the outset that although the quantity and quality of child labor data is continuously increasing and improving, systematic statistical information about the incidence and nature of child labor tends to be scarce and is often dated. The lack of availability, reliability and timeliness of data is more pronounced for subsets of child laborers, such as those working subject to the worst forms of child labor. Although the preferred information for this section of the report is on children engaged in the worst forms of child labor, it is not always possible to separate out the worst forms from other types of child labor. In most instances overall child labor information is reported because data specifically on the worst forms is not available.
Also included in this section is information on laws and policies that set educational requirements for children, as well as a brief assessment of children’s involvement in primary schooling. This information provides an indication of the extent to which children are participating and successful in primary school. Children in the worst forms of child labor are less likely to participate in primary schooling. Primary school enrollment and attendance figures are presented along with estimates of the percentage of children reaching the fifth grade and the number that repeat a grade of school, where available. Information pertaining to gender, ethnicity, or rural/urban demographics is provided, if particularly relevant.

**Child Labor Laws and Enforcement**

This section reviews major laws and regulations related to child labor and available evidence regarding implementation. Laws and regulations described in this section include those that establish a minimum age for work and those that set related standards for light work, hours of work for children of different ages, and requirements of parental approval. While such laws may not explicitly prohibit the worst forms of child labor, prohibitions against child labor and enforcement thereof may influence the nature and extent of the worst forms of child labor. However, laws that prohibit children’s involvement in the worst forms of child labor are given special attention.

Where available and substantiated, information is provided on penalties for violations of child labor laws, regulations and policies, as well as other enforcement and prosecution data. Formal institutional mechanisms that aim to promote adherence to and enforcement of child labor laws, regulations and policies, particularly related to the worst forms of child labor, are also reviewed.

Finally, this section reports whether a country has ratified the principal ILO conventions on child labor, Conventions No. 138 on Minimum Age for Employment and No. 182 on the Worst Forms of Child Labor.

**Sources of Information**

In preparing this report, the U.S. Department of Labor relied primarily on information garnered from the U.S. Department of State and U.S. consulates and embassies abroad. Also relied upon are a wide variety of reports and materials originating from foreign governments, international organizations, non-governmental organizations, and other agencies within the U.S. Government. U.S. Department of Labor officials also gathered materials during field visits to some of the countries covered in this report. Finally, information was submitted in response to a Department request for public input published in the *Federal Register*.14

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12 Some country profiles include a statement indicating that the age for compulsory education and the minimum age for work do not coincide. In cases where the minimum age for compulsory education is one or more years lower than the minimum age for work, children may be more likely to enter work illegally.

13 For a description of this data and a discussion of its limitations, please see Section IV of this report.

Data Sources

Description and Limitations of Data

Statistics on Working Children

Statistics measuring the incidence of child labor in the individual profiles vary by age ranges and the definition used to measure child labor. There is no internationally endorsed definition on working children, or universally prescribed methodology for collecting data on child labor. The lack of concepts and methods for collecting child labor data has made it difficult to obtain comparable and reliable statistics across countries on working children. Therefore, estimates on the number of working children presented in this report come from government household surveys and international agencies that use varied age ranges and different definitions to construct child labor statistics. In general, estimates on the number of working children are likely to be underestimates because the nature of household surveys do not lend themselves to collecting data on children who are working in the informal or illegal sectors of the economy, particularly children in the worst forms of child labor.

Resources used in this report for child labor statistics that use household surveys such as national census or labor force surveys come from ILO’s Yearbook of Labor Statistics, ILO’s Economically Active Population Estimates and Projections: 1950-2010 database, and World Bank’s World Development Indicators. Estimates on the number of working children from these sources are generally based on the definition of the “economically active population” which restricts the labor force activity of children to “paid” or “unpaid” employment, military personnel, and the unemployed. The definition does not include children in informal work settings, non-economic activities, or “hidden” forms of work such as domestic service, prostitution, or armed conflict.

Other sources on child labor statistics come from ILO-IPEC’s SIMPOC and UNICEF’s Multiple Indicator Cluster Surveys (MICS) that are specifically designed to measure the extent of child labor in a country. Although these surveys also employ the definition of “economically active”, the universe for working children is extended to include work activities outside the definition, which would capture children working in the informal sector and domestic work. However, the methods for collecting data on the worst forms of child labor are also still inadequate.

Another main source used in this report is from country statistics on child labor provided by the Inter-Agency Research Cooperation Project on “Understanding Children’s Work” (UCW) from the ILO, UNICEF, and the World Bank. The UCW project has compiled statistics from approximately 50 countries that use both traditional household surveys and child labor surveys. Estimates on the number of working children from this source also vary by age ranges and definitions.

In determining which source to use in presenting estimates on child labor for the individual profiles, priority is given to statistics collected from child labor surveys such as the ILO-IPEC SIMPOC survey or the UNICEF MICS survey. In instances where data is not available specifically from a child labor survey, estimates based on household survey data from the UCW project are presented to reflect the number of children working, children who combine school and work, and children who work in household chores for a specified amount of time. Finally, countries that do not have data on working children from a child labor survey or the UCW project draw on estimates from ILO’s Yearbook of Labor Statistics, ILO’s Economically Active Population Estimates and
Projections: 1950-2010 database, or the World Bank’s World Development Indicators. In some cases, recent statistics from child labor surveys do not exist, and estimates from other more recent sources are presented along with estimates from the child labor survey.

Statistics on Primary Education

In addition to data on the number of working children, statistics on primary school attendance or enrollment are used in this report to provide a complimentary indicator of the number of children who work. The presentation of primary attendance statistics allows the reader to infer the proportion of children in the school-age population who are not in school and may be engaged in child labor or at risk of entering hazardous work activities. While primary attendance statistics are more accurate than primary enrollment statistics in illustrating the extent of child labor in a country, attendance statistics are not often collected and readily available. For countries in which primary attendance statistics do not exist, primary enrollment statistics are used instead.

There are, however, several limitations to using primary enrollment statistics that, when presented along with child labor data, can be misleading. Since child labor data and education statistics are usually collected separately and for different purposes, data on the percentage of children enrolled in school may not necessarily be consistent with statistics on working children. Primary enrollment statistics measure the number of children who are enrolled during a given school year, but do not reflect the number of children actually attending school. Thus, a child can be enrolled in school, but never attend. As a result, primary enrollment statistics often overstate the true number of children who attend classes on a regular basis, and underestimate the number of children who may be working. In other cases, children may be enrolled in or attending school, and are also engaged in a worst form of child labor outside of school hours. Nevertheless, to the extent that child labor and education are linked, it is still important to present some sort of education statistics because primary enrollment and attendance figures provide a measure of access to quality and relevant education for children, particularly those living in rural areas.

Data Sources on Child Labor and Primary Education

Sources of Child Labor Data

Child labor statistics in this report were obtained from the following four main sources:

1. **ILO-IPEC Sponsored Child Labor Surveys**

Since 1992, ILO-IPEC and ILO-STAT have worked in close collaboration with national statistical agencies and other institutions in several countries to design and implement specialized surveys on child labor. Eleven child labor surveys were conducted under the direction ILO-STAT, and administered either as a stand-alone survey or a child labor module as a part of a country’s existing labor force surveys. In 1998, ILO-IPEC launched SIMPOC in which 34 countries either have

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15 Despite the hazardous nature of some work activities, it is common for children to engage in child labor as a source of income in order to afford the additional costs of going to school. As a result, many children combine school and work, which often hinders a child’s performance at school.

completed or are in the process of collecting child labor data.\(^{17}\) The population of working children generally includes children ages 5 to 17 who are employed, unemployed or domestic workers in their own household. Children who are working are either salaried, self-employed, unpaid family workers, or apprentices. Unlike traditional labor force surveys, the SIMPOC child labor surveys collect data on some work activities in the informal sector.\(^{18}\)

2. **UNICEF’s Multiple Indicator Cluster Surveys (MICS)**

In 1998, UNICEF began a process to assist countries assess progress in meeting their goals for the “World Summit for Children” using the MICS questionnaire.\(^{19}\) The MICS questionnaire includes 75 indicators for monitoring children’s rights such as child labor, child survival and health, child nutrition, maternal health, water and sanitation, and education. Child labor measures consist of children ages 5 to 14 who are paid, unpaid, and work at least 4 hours a day in domestic work.\(^{20}\) About 49 developing countries included the child labor indicator in their MICS questionnaire;\(^{21}\) to date, 28 countries have submitted their national reports to UNICEF.\(^{22}\)

3. **The Inter-Agency Research Cooperation Project on “Understanding Children’s Work”**

The “Inter-Agency Research Cooperation Project: Developing New Strategies for UCW” is a group collaboration between ILO, UNICEF and the World Bank to minimize the duplication of efforts on child labor statistics among the three agencies, and identify information gaps in the data on child labor. ILO contributes data from its SIMPOC surveys, UNICEF from the MICS questionnaire, and the World Bank from its Living Standards Measurement Survey. The UCW project has country statistics on child labor, schooling and health indicators from government census or household surveys sponsored by at least one of the three agencies.\(^{23}\)

4. **Estimates and Projections of the Economically Active Population, 1950-2010**

Child labor force participation rates for 2000 are taken from the World Bank’s *World Development Indicators 2002* or the ILO’s on-line database for labor statistics, which are based on data from the


\(^{18}\) ILO, Child Labour Surveys.


ILO’s database *Estimates and Projections of the Economically Active Population (EAP): 1950-2010.* Statistics from the ILO’s EAP database are different from statistics from ILO’s SIMPOC child labor surveys. Labor force participation rates from the EAP database are based on the definition of the “economically active population” for children ages 10 to 14. Although the EAP is less accurate in estimating the number of children working below the age of 15, it does provide a useful indicator because it is the only available source for comprehensive and comparable data on working children 10 to 14 years old.

**Sources of Primary School Education Data**

Primary school education data for gross and net primary school enrollment were obtained from either the *World Development Indicators 2002* or the *Education For All 2000 Assessment.* Gross and net primary school attendance rates were mostly obtained from USAID’s *Global Education Database.*

1. **World Development Indicators 2002 (WDI 2002)**

   The WDI 2002 is an annual compilation by the World Bank on development data gathered from several international and government agencies and private and nongovernmental organizations around the world. The WDI 2002 includes 800 indicators on topics in six areas: world view, people, environment, economy, states and markets, and global links. There are 85 tables covering the six categories with basic indicators on 224 countries.

   Gross and net primary enrollment statistics in the country profiles primarily use 1998 data compiled in the WDI 2002. While the *Department of Labor’s 2001 Findings on the Worst Forms of Child Labor* used similar 1998 data compiled in the WDI 2001, statistics presented in this year’s report using 1998 data from the WDI 2002 may differ slightly because of statistical adjustments made in the school-age population or corrections to enrollment data. In several instances, there was no change in results from the WDI 2001 and WDI 2002 because enrollment statistics were not affected by the adjustments or corrections to the data were not needed.

2. **Education for All 2000 Assessment**

   The *Education for All (EFA) Year 2000 Assessment Statistical Document* is a collection of quantitative data based on an in-depth evaluation of basic education at global, regional, and national levels gathered by UNESCO Institute for Statistics (UIS). Data is available for 185 countries. Indicators examined in this assessment include the demand for education, early childhood education and care, access and trends to primary education, public expenditure on primary education, teacher qualifications, and literacy rates.

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26 World Bank, *World Development Indicators 2002*.
3. **Global Education Database 2000 (GED)**

The GED provides education data compiled by UNESCO and from USAID Demographic and Health Survey (DHS) sources. Data include education measures on the performance of a specific country or groups of countries over time in areas such as school enrollments and attendance, public expenditure, and gender parity. For most of the 145 UNESCO indicators, data are for 1980, 1985, and for single years from 1990 through 1997 or 1998. DHS statistics are presented for the specific country and year in which surveys were conducted and are reported through 1999. With over 200 countries represented, the database is a useful tool for cross-country comparisons of education indicators.\(^{28}\)

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Introduction

Making a Commitment to Eliminate the Worst Forms of Child Labor: Moving From Raising Awareness to Taking Action

In 2000, the ILO estimated that 211 million children ages 5 to 14 years were working around the world. The number of children is even higher when children in the worst forms of child labor, such as forced or bonded labor, drug trafficking, armed conflict, commercial sexual exploitation, and other hazardous forms of work, are counted. While the incidence of child labor in both developing and developed countries is great, we can be encouraged that the commitment to eliminate the worst forms of child labor continues to gain even greater momentum across the international community. Since the adoption of ILO Convention 182 on the Worst Forms of Child Labor in June 1999, 133 countries have ratified the convention. The awareness generated from the rapid ratification of ILO Convention 182 has resulted in an increase in the number of countries that have ratified ILO Convention 138 on the Minimum Age, adopted in June 1973. To date, a total number of 121 countries have ratified ILO Convention 138, with 45 countries ratifying in the last three years.

Other important international instruments reflective of the commitment to protect children against the worst forms of child labor are the Optional Protocols to the Convention on the Rights of the Child (CRC) adopted by the United Nations General Assembly on May 25, 2000. The Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict came into force on

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29 ILO-IPEC (SIMPOC), Every Child Counts: New Global Estimates on Child Labour, Geneva, April 2002, [cited January 2, 2003]; available from http://www.ilo.org/public/english/standards/ipec/simpoc/others/globalest.pdf. This estimate on the number of working children is based on the definition of the “economically active population,” which restricts the labor force activity of children to “paid” or “unpaid” employment, military personnel, and the unemployed. The definition does not include children in informal work settings, non-economic activities, “hidden” forms of work, or work that is defined by ILO Convention 182 as the worst forms of child labor.


31 Ibid.
January 18, 2002 and February 12, 2002, respectively. The Optional Protocols have been signed by approximately 100 countries and ratified by 42 member states.

The large number of countries that have ratified ILO conventions on child labor and signed CRC protocols indicates worldwide awareness of children in exploitative situations. However, the true demonstration of a country’s commitment to eliminate the worst forms of child labor is in its implementation and enforcement of policies and its efforts to prevent, remove and rehabilitate children at risk of entering or in the worst forms of child labor.

**Recent Developments and New Beginnings**

In the last year, significant efforts have been made to advance the global campaign against the worst forms of child labor. Many of the country profiles presented in this report show both recent developments in ongoing efforts and new beginnings in government policies and programs to eliminate the worst forms of child labor. Highlighted below are some examples in the last year of ways in which national governments have worked to prevent and remove children from hazardous and exploitative work.

- Currently 82 countries are collaborating with the ILO’s International Program on the Elimination of Child Labor with the support of 27 donor countries. In addition, the Governments of the Philippines and the Dominican Republic initiated Time-Bound Programs under ILO-IPEC to eliminate the worst forms of child labor in target sectors in a specified period of time.

- Thailand’s Central Labor Court awarded almost USD 50,000 in back wages to 33 Burmese persons, 21 of whom were minors, who had been trafficked to a factory in Thailand to work under conditions of forced labor. Under an existing MOU on trafficking victims, the workers

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were permitted by government authorities to remain in Thailand for several months, enabling them to testify in the case.\(^{35}\)

- The Government of Poland and the West African nations of Benin, Nigeria and Togo are working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime to strengthen anti-trafficking efforts for women and children. UNODC is providing technical assistance in areas such as research and law enforcement training.

- In the Czech Republic, an amendment to the Criminal Code took effect in 2002 that strengthens the prohibitions against trafficking in children, child prostitution and child pornography.\(^{36}\)

- During the first eight months of the year, the Ministry of Labor and Employment of Brazil strengthened its enforcement of child labor laws and conducted an estimated 19,500 inspections involving cases in which workers were under the age of 18.\(^{37}\)

- The Governments of Côte d’Ivoire, Cameroon, Ghana, Guinea, and Nigeria are participating in ILO-IPEC’s West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labor. This regional project is being funded jointly by USDOL and the Global Chocolate Industry with counterpart contributions from the West Africa governments.\(^{38}\) In partnership with existing USAID projects in the region, the program aims to strengthen the capacity of the region’s governments and NGOs, increase awareness of the hazards of child labor, develop models for withdrawing children from work and providing them with rehabilitation, create a monitoring system and conduct research on child labor.\(^{39}\)

### Barriers to Implementing Government Commitments to the Worst Forms of Child Labor

While the increase in ratifications of ILO conventions and CRC optional protocols and initiation of programs and strengthening of labor laws are promising, there remain significant gaps in many governments’ abilities to implement their commitments to eliminating the worst forms of child labor. Listed below are some of the overall themes from the information gathered in the country profiles.

- **Family poverty** limits the willingness of government ministries to enforce child labor protections.

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\(^{38}\) USDOL has committed USD 5 million to the project, and the Global Cocoa Issues Group has committed USD 1 million. See ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP)*, project document, project no. (ILO) RAF/02/P50/USA, Geneva, September 26, 2002.

\(^{39}\) Ibid., 33.
• The hidden nature of the worst forms of child labor makes the regulation and prosecution of cases of children involved in forced and bonded labor, commercial sexual exploitation, armed conflict, and other illicit activities difficult. In addition, much of the work that children perform occurs in the informal sector, in private homes or on farms, where government ministries find it difficult to enforce restrictions on working ages, hours of work and work in hazardous occupations.

• The lack of financial and human resources also inhibits the ability of government ministries to carry out enforcement against the worst forms of child labor.

• Political instability, complacency and corruption within governments make good laws and adequate resources ineffective. Some countries make little effort to inspect for child labor law infractions, or impose meager penalties that do little to deter future infractions. There is also evidence that the prosecution of child traffickers is thwarted by government corruption.

Moving Forward

This report calls attention to both the progress that has been made to combat child labor over the past year, as well as improvements that need to be made. While there is more information available and there are more coordinated projects and programs underway, many children are still in need of our attention. It is our hope this report will help to raise awareness on the need to protect children in vulnerable situations so that all children around the world have the opportunity to receive an education and lead productive lives.
Basic Education

Basic education comprises both formal schooling (primary and sometimes lower secondary) as well as a wide variety of non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.


Bonded Labor

Bonded labor or debt bondage is “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt,” as defined in the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

Bonded labor typically occurs when a person needing a loan and having no security to offer, pledges his/her labor, or that of someone under his/her control, as a security for a loan. The interest on the loan may be so high that it cannot be paid, or the laborer may be deemed to repay the interest on the loan but not the capital. Thus, the loan is inherited and perpetuated, and becomes an inter-generational debt.

Bonded labor is identified as one of the worst forms of child labor in ILO Convention 182.


Child Labor

The definition of child labor used in this report is derived from ILO Convention 138, which states that the minimum age of admission into employment or work in any occupation shall not be less than the age of completion of compulsory schooling or less than fifteen. Based on this definition, child labor is any economic activity performed by a person under the age of 15. The Convention makes an exception to the age limit of 15 years in ILO member countries in which the economy and educational facilities are insufficiently developed. In such circumstances, the minimum age of admission into employment or work in any occupation shall not be less than 14. In these countries, therefore, child labor is any economic activity performed by a person under age 14. It is important to note that the internationally accepted definition of “economic activity” does not generally include children involved in domestic chores within their own household.

In this report, certain economic activities performed by children are considered “light work” rather than “child labor.” The definition of light work used in this report is also derived from ILO Convention 138. The convention considers activities performed by 13 to 15 year-olds that do not harm their health or development and that do not prejudice their attendance at school or
participation in vocational training to be light work. (See definition of “light work.”) Therefore, for the purposes of this report, “child labor” is defined as work that prevents children from attending and participating effectively in school or is performed by children under hazardous conditions that place their healthy physical, intellectual or moral development at risk.


**Commercial Farms**

Commercial farms are large-scale agricultural holdings that produce for largely commercial purposes. For the purposes of this report, the term “commercial farms” encompasses both farms and plantations, which are defined as agricultural holdings that produce commodities exclusively for export. Commercial farms generally pay workers by either the weight or the quantity of the product collected. To ensure that this minimal amount is met, or to maximize earnings, children may work alongside their parents, as part of a family unit. Children may also be hired as full-time wage-laborers, although they usually perform the same work as adult workers, but are paid one-half to one-third what is paid to adults doing comparable work. Workdays are extremely long, and safety and health risks include exposure to dangerous chemical fertilizers or pesticides, poisonous insects or reptiles, and unsafe hygienic conditions and drinking water.

ILO Convention 138 prohibits the use of child labor on “plantation and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.” The line between “commercial” agriculture and “production for local consumption” is frequently blurred, and sometimes requires difficult judgment calls.


**Commercial Sexual Exploitation of Children**

Commercial Sexual Exploitation of Children (CSEC) is the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of children in prostitution or other unlawful sexual practices; or the exploitative use of children in pornographic performances and materials.

The exact nature of the exploitation differs from one country to another. CSEC includes so-called “sex tourism” in which adults procure the services of children for prostitution or pornography; the exploitation of children by pimps or other criminal elements who offer “protection” to children (often children living on the streets) in return for their work in the sex trade; trafficking of children across borders to fuel prostitution or pedophilia rings; or the use of domestic servants, refugee children, or child soldiers for sexual purposes.

ILO Convention 182 prohibits the sale and trafficking of children, and the use, procuring or offering of a child for prostitution, for the production of pornography, or for pornographic performances.
Compulsory Education

Compulsory education refers to the number of years or the age-span during which children and youth are legally obliged to attend school.


Domestic Servants

Domestic servants, also referred to as domestic workers or child domestics, are children who work in other people’s households doing domestic chores, caring for children, and running errands, among other tasks. Child domestics sometimes have live-in arrangements, whereby they live in their employer’s household and work full time in exchange for room, board, care, and sometimes remuneration.


Forced Labor

Forced labor is defined in ILO Convention 29 as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” In practice, it is the enslavement of workers through the threat or use of coercion, and it is primarily found among the most economically vulnerable members of society.

Forced and compulsory labor is identified as one of the worst forms of child labor in ILO Convention 182.


Gross Primary Attendance Ratio

The gross primary attendance ratio is the total number of students attending primary school (regardless of age) expressed as a percentage of the official primary school-age population. It indicates the general level of participation in primary schooling by people of any age, and in comparison with the net primary attendance ratio, indicates the extent of over- and under-age participation in primary schooling. In countries with high primary school attendance rates, if there are significant numbers of overage (or underage) students in primary school, the gross primary attendance ratio can exceed 100.
**Gross Primary Enrollment Ratio**

The gross primary enrollment ratio is the enrollment of primary students of all ages expressed as a percentage of the primary school-age population. The gross primary enrollment ratio describes the capacity of a school system in relation to the size of the official school-age population. For example, a ratio of 100 percent indicates that the number of children actually enrolled, including those outside the official age range, is equivalent to the size of the official primary school-age population. It does not mean that all children of official primary school age are actually enrolled. If the ratio was so misinterpreted, it would overstate the actual enrollment picture in those countries in which a sizable proportion of students are younger or older than the official age owing to early or delayed entry or to repetition. In many countries, the official primary school-age group is 6 to 11 years. The differences in national systems of education and duration of schooling should be considered when comparing the ratios.


**Hazardous Work**

Hazardous work refers to work that is likely to jeopardize the health, safety, or morals of a young person. This is consistent with ILO Convention 138, which states that “the minimum age for any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety, or morals of young persons shall not be less than 18 years.” Hazardous work is identified as a worst form of child labor in ILO Convention 182.


**ILO Convention 138: Minimum Age for Admission to Employment**

ILO Convention 138 serves as the principal standard on child labor. This convention, adopted in 1973 and ratified by 121 nations, provides the basis for the definition of the term “child labor” as any economic activity performed by a person under the age of 15. Signatories of the Convention are required to set a minimum work age standard of 15 years, although exemptions are included which permit countries whose economy and educational facilities are insufficiently developed to initially specify a minimum age of 14 years.

**ILO Convention 182: Worst Forms of Child Labor**

ILO Convention 182 was adopted in 1999 and has been ratified by 133 nations. It commits ratifying nations to take immediate action to secure the prohibition and elimination of the worst forms of child labor, defined as:

- all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Among other actions, ILO Convention 182 requires ratifying nations to: remove children from abusive child labor and provide them with rehabilitation, social reintegration, access to free basic education and vocational training; consult with employer and worker organizations to create appropriate mechanisms to monitor implementation of the Convention; apply the Convention to children under the age of 18; take into account the special vulnerability of girls; and provide assistance and/or cooperate with efforts of other members to implement the Convention.


**ILO-IPEC Associated Countries**

ILO-IPEC associated countries are countries where ILO-IPEC has initiated projects with the permission of the country’s government, but which have not yet signed a Memorandum of Understanding.


**ILO-IPEC Programme Countries**

ILO-IPEC Programme countries are countries that have signed a Memorandum of Understanding with IPEC.

Informal Sector

The informal sector refers to areas of economic activity that are largely unregulated and not subject to labor legislation. A more precise description of the informal sector by the ILO suggests “these units typically operate at a low level of organization, with little or no division between labor and capital as factors of production and on a small scale.” Furthermore, where labor relations exist, interactions are not based on contracts or formal arrangements; rather they are grounded on casual employment, kinship, and personal or social relations. Because employers in the informal sector are not accountable for complying with occupational safety measures, children who work in “hazardous” or “ultra-hazardous” settings likely run the risk of injury without any social protections. For this reason, households may be reluctant to indicate work by children in the informal sector, which can increase the probability of underreporting. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises do not show up in labor force activity rates.


IPEC: International Program on the Elimination of Child Labor

In 1992, the ILO created IPEC to implement technical cooperation activities in countries with significant numbers of child laborers. The objective of the IPEC program is the elimination of child labor, particularly children working under forced labor conditions and in bondage, children in hazardous working conditions and occupations, and especially vulnerable children, such as working girls and very young working children (under 12 years of age).

Countries participating in IPEC sign an MOU outlining the development and implementation of IPEC activities and the efforts to be undertaken by governments to progressively eradicate child labor. IPEC National Program Steering Committees are then established with participation of governments, industry and labor representatives, and experienced NGOs. IPEC provides technical assistance to governments, but most of the direct action programs are carried out by local NGOs and workers’ and employers’ organizations. IPEC activities include awareness-raising about child labor problems; capacity building for government agencies and statistical organizations; advice and support for direct action projects to withdraw working children from the workplace; and assistance to governments in drawing up national policies and legislation.


Light Work

Light work is defined in ILO Convention 138 as work that is not likely to harm the health or development of young persons, and not such as to prejudice their attendance at school, their participation in vocational orientation or training programs approved by the competent authority or their capacity to benefit from the instruction received. The Convention stipulates that children 13 to 15 may perform light work, except in instances in which an ILO member’s economy and
educational facilities are insufficiently developed. In such instances, children 12 to 14 may perform light work.


**Net Primary Attendance Ratio**

The net primary attendance ratio is the percentage of the official primary school age population that attends primary school. This indicator shows the extent of participation in primary schooling among children of primary school age.


**Net Primary Enrollment Ratio**

The net primary enrollment ratio is the enrollment of primary students of the official age expressed as a percentage of the primary school-age population. A high net primary enrollment ratio denotes a high degree of participation of the official school-age population. When compared with the gross primary enrollment ratio, the difference between the two ratios highlights the incidence of under-aged and over-aged enrollment. In many countries the official primary school age group is 6-11 years. The difference in national systems of education should be accounted for when comparing ratios.


**Primary Education**

Primary education, sometimes called elementary education, refers to school usually beginning at 5 or 7 years of age and covering about six years of full-time schooling. In countries with compulsory education laws, primary education generally constitutes the first (and sometimes only) cycle of compulsory education.


**Promotion Rate**

The promotion rate is the percentage of pupils promoted to the next grade in the following school year. Some countries practice automatic promotion, meaning that all pupils are promoted, regardless of their scholastic achievement.

Ratification

Ratification is a solemn undertaking by a State formally accepting the terms of an international agreement, thereby becoming legally bound to apply it. Other ways of becoming bound to an international agreement include acceptance, approval, accession, signature, or an exchange of notes.

In order to ratify an agreement, a country must, if necessary, adopt new laws and regulations or modify the existing legislation and practice to support the agreement, and formally deposit the instruments of ratification with the appropriate depositary. (In the case of ILO Conventions, ratifications must be registered with the Director-General of the ILO’s International Labor Office.)

For certain international agreements that require ratification, signing an agreement or enacting an agreement into domestic law by Congress, or a similar state organ, does not mean that the international agreement has been ratified. Signing an international agreement serves as a preliminary endorsement, albeit a formality, as signatories are not bound by the terms of the international agreement or in any way committed to proceed to the final step of ratification. However, a signatory is obliged to refrain from acts which would defeat the object and purpose of the international agreement unless it makes its intention not to become a party to the international agreement clear. Similarly, appropriate state entities may signal approval of an international agreement, but that is only one of the requisite steps on the path toward official ratification. The final step requires that the instruments of ratification be deposited with the depositary.

In the case of ILO conventions, ILO procedures provide the option to ratify or not ratify a convention, but do not include the option to sign a convention as a preliminary endorsement. Generally, an ILO convention comes into force in a ratifying country 12 months after the government has deposited the requisite instrument of ratification. This grace period provides ILO members time to enact or modify legislation to comply with the convention before it comes into force.


Retention Rate

The repetition rate is the percentage of pupils who enroll in the same grade the following school year, as in the current school year.

Time-Bound Program

Time-Bound Programs are implemented through ILO-IPEC and aim to prevent and eliminate all incidences of the worst forms of child labor within a defined period. The objective is to eradicate these forms of child labor within a period of 5-10 years, depending on the magnitude and complexity of child labor in each country.


Trafficking of Children

At its most basic, the trafficking of children can be defined as a series of events that includes, inter alia, acquiring the children, moving them and exploiting them. In the context of CSEC, the exploitation is taken to mean in commercial sex, although children may also be trafficked into exploitative labor, for example, into begging, military service, domestic sweatshops, industry or agriculture. Children trafficked into such practices are at risk of then being sexually exploited as well.

The acquisition and transport may involve force, persuasion, coercion, trickery, the administration of drugs, family and other complicity, or may be on the initiative of the child him/herself. The transport may be by road, air, rail or sea and be cross-border or within a country, for example from rural community to urban area. The exploitation may involve forced labor or commercial sex, and may involve financial transactions or other rewards for the exploiter (for example elevated status within para-military hierarchies for militia who provide children for the service of their superiors).

Trafficking of children is identified as a worst form of child labor in ILO Convention 182.


Worst Forms of Child Labor

See section “ILO Convention 182: Worst Forms of Child Labor.”
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Albania has been a member of ILO-IPEC since June 1999. As part of a program launched in February 2001, ILO-IPEC helped establish national institutional mechanisms including a Child Labor National Steering Committee and a Child Labor Unit in the Ministry of Labor and Social Affairs. ILO-IPEC is also working with the government and local organizations to initiate direct action programs to assist children on the streets, children working in agriculture, and victims of child trafficking.40

A UNICEF program for Child and Youth Development is working with NGOs, schools and government agencies such as the Ministry of Labor and Social Affairs to protect at-risk children, including street children and victims of trafficking, by providing them educational, legal and other services.41 In addition, IOM is implementing a counter-trafficking strategy that includes mass information campaigns, return and reintegration programs for victims, and “best practices” training for government personnel and related organizations involved in the counter-trafficking effort.42

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 31.7 percent of children ages 5 to 14 years in Albania were working in some capacity.43 Children work on the streets as beggars and vendors, and on farms.44 Trafficking of children abroad to prostitution or pedophilia rings in Western Europe remains a serious problem in Albania; one study estimated that 25 percent of Albanian trafficking victims

40 IPEC’s country program in Albania aims to build the national capacity of the government to combat child labor, raise awareness of the issue and target an initial group of children for removal and prevention by providing them with education and other social services. See ILO-IPEC, Albania Fact Sheet, Geneva, 2002. See also ILO-IPEC, At a Glance: IPEC’s Technical Cooperation Activities in Europe and Central Asia, Geneva, 2002.

41 UNICEF, Summary of Programs, [online] [cited September 13, 2002]; available from www.unicef.org/albania/what_we_do/summary.htm.


43 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Children work much more in rural areas compared to urban cities, 45 percent and 7 percent respectively. See Government of Albania, Multiple Indicator Cluster Survey (MICS) Report: Albania, UNICEF, December 4, 2000, 33, 35 [cited December 26, 2002]; available from www.childinfo.org/MICS2/Gj99306k.htm.

were minors. Boys and girls are also trafficked to Greece and Italy to participate in organized begging rings and forced labor including work in agriculture and construction. In January 2003, Terre des Hommes reported that the majority of children trafficked to Greece were sent with their family’s knowledge, to “get money in Greece,” i.e., to work in some capacity. The Terre des Hommes study indicated that the majority of the victims were Egyptian (“Jevgjit”) and Roma, Albania’s most marginalized communities, possibly representing 95 percent of the affected families. In 2002, local Albanian press reported several cases of children being sold by their families. There also have been reports that children are tricked or ab ducted from families or orphanages and then sold to prostitution or pedophilia rings in Western Europe. There are no current reports of children working as soldiers, although children allegedly were involved in armed activity in 1997.

Education is compulsory and free for children ages 6 to 14. In 1996, the gross primary enrollment rate was 109.6 percent, and in 1995 the net primary enrollment rate was 101.7 percent. According to UNICEF, the primary school attendance rate for all children ages 7 to 14


49 U.S. Department of State, Country Reports- 2001: Albania, Section 5. Girls who are trafficked for prostitution tend to come from the rural and remote mountain areas of Albania, where public awareness about the dangers of trafficking is still very low. Italy is the destination point for the majority of trafficked Albanian children/women. However, large numbers of Albanian children (as many as 4,000) also work as child prostitutes in Greece. See Renton, Child Trafficking in Albania, 17-19.


52 The available net enrollment statistic is higher than 100 percent, although this is theoretically not possible. The World Bank attributes this abnormality to discrepancies between estimates of the school-age population and reported enrollment data. See World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002.
was 90 percent, although this does not preclude children from also working. The Ministry of Education and Sciences reported that the drop-out rate between 1999 and 2000 was approximately 3 percent, although local children’s groups believe the number is higher.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age of employment at 16 years. Minors 14 years of age and older may seek employment during school holidays, but until the age of 18 they are only permitted to work in light jobs, which are determined by the Council of Ministers. Labor Act No. 7724 prohibits night work by children less than 18 years of age and limits their work to six hours per day. The Constitution forbids forced labor by any person, except in cases of execution of judicial decision, military service, or for service during state emergency or war. The Labor Code also prohibits forced or compulsory labor. The Criminal Code prohibits prostitution, and the penalty is more severe when a minor girl is solicited for prostitution. In January 2002, changes to the Criminal Code established penalties for trafficking of minors as well as trafficking of women for prostitution. Despite a lack of resources, the government is taking steps to combat trafficking. Trafficking prohibitions, however, rarely lead to convictions of traffickers.


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54 Local organizations report that dropout rates and child truancies are much higher than government reports indicate, although no formal data are available. Interviews of people in rural and urban areas indicate that children leave school for various reasons, such as work and fear for personal safety, including fear of abduction by traffickers. Reports of drop-outs are particularly high among the ethnic Roma minority. See Hazizaj, *The Vicious Circle*, Section 1.2. See also Renton, *Child Trafficking in Albania*.

55 The Ministry of Labor may enforce minimum age requirements through the courts, but no recent cases of this actually occurring are known. The employment of children is punishable by a fine, as stated in Article 60 of the Law for Pre-University Education. See U.S. Department of State, *Country Reports- 2001: Albania*, 1246-49, Section 6d. See also Hazizaj, *The Vicious Circle*, Section 6.2.


57 Furthermore, Article 54(3) of the Constitution states that “children, the young, pregnant women and new mothers have the right to special protection by the state.” The ages of children protected under Article 54(3) are not specified. *Albanian Constitution*, Chapter II, Article 26, and Chapter IV, Article 54(3), [cited October 20, 2002]; available from http://www.ipls.org/services/constitution/const98/cp2.html.


The armed conflict in Angola from 1975 to 2002 severely affected children and limited government spending for social and educational programs. In 2001, the Government of Angola initiated a national registration system to document the age of children under 18, which is intended to enable military recruiters to adhere to minimum conscription age laws by verifying age documentation and to protect children from trafficking. In addition, the government created a Juvenile Judicial System to protect the rights of children and to secure their obligations under the law. In 2002, the Ministry of Social Assistance and Reintegration trained 1,070 child protection monitors who assisted approximately 43,000 children who had been separated from their families. Monitors ensured that the children, some of whom were working children and former child soldiers, were provided food, shelter and schooling, and monitors reunited some children with their families.

In 1994, the Government of Angola and the National Union for the Total Independence of Angola (UNITA) signed the Lusaka Protocol, which gave UNICEF and other organizations the responsibility for the establishment of rehabilitation programs for former child soldiers. Program activities have included locating relatives, arranging transportation, and reuniting the children with their families. The program also identifies school and job training opportunities for former child soldiers and prepares local communities to accept children who were engaged in armed conflict. Since the cessation of hostilities in February 2002 and with the cooperation of the government, the International Committee of the Red Cross has increased family reunification efforts, particularly for

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children pressed into service by UNITA, including child soldiers. 225 children had been reunited with their families under this program by the end of 2002, and an additional 750 are scheduled to be reunited by June 2003.\textsuperscript{70}

The Ministry of Planning has initiated a vocational training and entrepreneurial development program for rural and peri-urban women. The program aims to develop and strengthen families of demobilized soldiers and returning refugees by making credit available for income generating activities and micro-enterprises.\textsuperscript{71} The National Children’s Institute participated in the creation of a National Plan of Action and Intervention Against the Commercial Sexual Exploitation of Children in Angola.\textsuperscript{72} The World Food Program is implementing a two-year project to increase enrollment and improve attendance in primary schools around the country and to build local capacity to provide school feeding services.\textsuperscript{73}

**Incidence and Nature of Child Labor**

In 2001, UNICEF estimated that 29.9 percent of children ages 5 to 14 years in Angola were working.\textsuperscript{74} In 2000, it was estimated that there were approximately 24,000 homeless street children living in Angola as a result of the civil conflict.\textsuperscript{75} Many of the girls are at high risk of sexual and other forms of violence.\textsuperscript{76} Other children work in subsistence agriculture, as domestic servants, as street vendors,\textsuperscript{77} and as beggars.\textsuperscript{78} Although both the government and the rebel militia of UNITA used children as soldiers, laborers, porters, camp followers, and sex slaves during the

\textsuperscript{70} U.S. Department of State official, electronic communication, February 12, 2003.


\textsuperscript{73} The intended beneficiaries are 150,000 basic education students in rural and peri-urban schools with low female enrollment, low pass rates, and high drop-out rates for females. See World Food Programme, *World Hunger- Angola*, online, 2002, [cited September 6, 2002]; available from http://www.wfp.org/country_brief/indexcountry.asp?country=024.

\textsuperscript{74} The average percentage of working girls within this age group was greater (31.1 percent) than that of boys (28.7 percent). Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Angola, *Multiple Indicator Cluster Survey (MICS) Report: Angola*, UNICEF, Luanda, April 2002, [cited September 6, 2002]; available from http://www.childinfo.org/MICS2/newreports/angola/angola.pdf.

\textsuperscript{75} The majority of these street children are male. See UNICEF, *Relatório de Seguimento*, 13.

\textsuperscript{76} Ibid.

\textsuperscript{77} U.S. Department of State, *Country Reports- 2001: Angola*, 21-22, Section 6d.

\textsuperscript{78} According to a local NGO in Luanda, about 500 to 1,000 children were working as prostitutes in the capital city. See Ibid., 18-20, Section 5. See also National Journal Group Inc., *Angola: Children Survive War as Scavengers, Prostitutes*, online, UNWire, United Nations Foundation, May 30, 2002, [cited October 3, 2002]; available from http://www.unfoundation.org/unwire//util/display_stories.asp?objid=2898.
Civil war, forced recruitment and abductions for forced labor and military service have stopped since the cease-fire agreement was signed in April 2002.\(^79\)

Child trafficking, prostitution, pornography, forced labor, sexual slavery, and other forms of exploitation are reported to exist in the country.\(^80\) Angola is a country of origin for trafficked children. Children have been trafficked to South Africa to work in the commercial sex industry.\(^81\) In 2002, there were unconfirmed reports that Angolan children may have been trafficked to the United Kingdom via Portugal.\(^82\)

Education in Angola is compulsory for eight years, and it is free of charge, although families are responsible for significant additional fees.\(^83\) In 1998, the gross primary enrollment rate was 90.7 percent, and the net primary enrollment rate was 57.2 percent.\(^85\) Roughly 75 percent of children who begin first grade reach the fifth grade, but only 6 percent of children are enrolled in secondary school.\(^87\) Girls have less access to education than do boys.\(^88\) Primary school attendance rates are unavailable for Angola. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\(^89\) It is estimated that children make up roughly 2 million of the displaced population in Angola, and educational opportunities are extremely limited for displaced children and adolescents.\(^90\) A reported 40 percent of classrooms in Angola have been looted and destroyed, leading to problems of overcrowding. Other factors, such as landmines, lack of resources and identity papers, and poor health further prohibit children from attending school regularly.\(^92\)

\(^{79}\) U.S. Embassy- Luanda, unclassified telegram no. 2491, October 2002. In 2001, nearly 7,000 children and adolescents were drafted and recruited, some reportedly by UNITA as young as 10 years old. See Coalition to End the Use of Child Soldiers, “Angola.” See also Watch List on Children and Armed Conflict, Angola, 2, 11. See also U.S. Department of State, Country Reports- 2001: Angola, 18-20, Section 5. See also U.S. Embassy- Luanda, unclassified telegram no. 3017.

\(^{80}\) Watch List on Children and Armed Conflict, Angola. See also U.S. Department of State, Trafficking in Persons Report: Angola.


\(^{84}\) U.S. Department of State, Country Reports- 2001: Angola, 18-20, Section 5.


\(^{86}\) Government of Angola, MICS2: Angola, 3.

\(^{87}\) U.S. Embassy- Luanda, unclassified telegram no. 2491.

\(^{88}\) UNICEF, Relatório de Seguimento, 16.

\(^{89}\) For a more detailed description on the relationship between education statistics and work, see the preface to this report.

\(^{90}\) Watch List on Children and Armed Conflict, Angola, 1.

\(^{91}\) Ibid., 7.

\(^{92}\) Ibid., 10.
**Child Labor Laws and Enforcement**

The minimum age for employment in Angola is 14 years. Children between the ages of 14 and 18 are not permitted to work at night, under dangerous conditions, or in activities requiring great physical effort.93 Children under 16 years of age are restricted from working in factories.94 Law prohibits forced or bonded labor,95 and in 1998 the Angolan Council of Ministers established a minimum conscription age for military service of 17 years.96 Trafficking is not prohibited in Angola,97 but prostitution and pornography are illegal under the general criminal statute.98

The Inspector General of the Ministry of Public Administration, Employment, and Social Security (MPAESS) is responsible for enforcing labor laws.99 However, since child labor is considered a family issue in Angola,100 child labor complaints are filed with the Ministry of Family and Women’s Affairs.101 MPAESS maintains employment centers to screen out applicants under age 14. Fines and restitutions are the primary available legal remedies for the enforcement of child labor laws. Individuals may report child labor violations, but there is no standard procedure for this type of investigation,102 and reports of child labor complaints are rare.103

The Government of Angola ratified both ILO Conventions 138 and 182 on June 13, 2001.104

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93 U.S. Embassy- Luanda, unclassified telegram no. 2491.
94 Ibid.
95 Ibid.
96 Coalition to End the Use of Child Soldiers, “Angola.” According to UNICEF, only 5 percent of the births in Angola are registered, which causes problems when verifying children’s ages for both military recruitment and school enrollment purposes. See also UNICEF, A Humanitarian Appeal for Children and Women- Angola, 2001, 2.
98 U.S. Embassy- Luanda, unclassified telegram no. 2491.
99 Ibid.
100 U.S. Department of State, Country Reports- 2001: Angola, 21-22, Section 6d.
102 U.S. Embassy- Luanda, unclassified telegram no. 2491.
103 U.S. Embassy- Luanda, unclassified telegram no. 2685.
Antigua and Barbuda

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Antigua and Barbuda has expressed its commitment to conducting research on child labor. Based upon a UNICEF-supported study on the needs of children and families, the government is developing a National Plan of Action on Child Survival, Development, and Protection while simultaneously implementing a public education campaign on child labor through the print and electronic media.

In 1991, the Government of Antigua and Barbuda drafted a new educational policy to improve the effectiveness of schooling. Key achievements in terms of education in recent years include ensuring broad-based access to primary education for most children and providing a growing number of pre-primary education facilities for children. The government has employed officers to monitor school attendance and report their findings fortnightly to the Chief Education Officer and Education Officers. Children who are repeatedly absent from school may be placed in foster care, and the parents or guardians of these children may be prosecuted in court. The government plans to improve data collection, monitoring, and assessment systems for education; upgrade school facilities; provide support to improve education efficiency; and make education available to children with special needs, like the growing number of bilingual children in Antigua and Barbuda, children with disabilities, and children in conflict with the law.

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105 Representatives from Antigua and Barbuda attended the ILO Caribbean Tripartite Meeting on the Worst Forms of Child Labor in December 1999, and based on what was learned at the meeting, they expressed a need to reassess the country’s situation with regard to child labor sectors in prostitution and drug trafficking. See U.S. Embassy-Bridgetown, unclassified telegram 1773, September 2001. See also Lionel Hurst, Labour Commissioner of the Government of Antigua and Barbuda, letter to USDOL official, October 18, 2001.


107 In 1990 Ministers of Education from the eight member countries that make up the Organization of Eastern Caribbean States (OECS) met and established a regional educational reform agenda. According to the OECS Reform Strategy, areas for reform included education management, teacher and administrator training, and inadequate educational facilities including textbooks and learning materials. UNESCO, Education for All 2000 Assessment: Country Reports- Antigua and Barbuda, prepared by Ministry of Education, Youth, Sports and Community Development, pursuant to UN General Assembly Resolution 52/84, 2000, [cited August 27, 2002]; available from http://www2.unesco.org/wef/countryreports/antigua_barbuda/rapport_1.html.

108 UNICEF, Antigua and Barbuda.


110 UNICEF, Antigua and Barbuda. See also UNESCO, EFA 2000 Report: Antigua and Barbuda.
Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Antigua and Barbuda are unavailable, and there is limited information on the incidence and nature of child labor in the country. In 2002, the Minister of Planning, Implementation, and Public Service Affairs observed that the trafficking of children and women for sexual exploitation had reached alarming levels. In 2001, children as young as 13 years old were reportedly involved in an organized prostitution and pornography ring.

Education is compulsory and free for children between the ages of 5 and 16 years. According to UNICEF, most children enjoy access to primary education, however there are no nationally available enrollment statistics for Antigua and Barbuda. The government and UNICEF have reported that Spanish-speaking children, children with disabilities, young mothers, and other children with special educational needs, face barriers to accessing primary education.

Child Labor Laws and Enforcement

The Women, Young Persons and Children Employment Provisions of the Labor Code set the minimum age for employment at 16 years. The provisions also establish that children less than


113 Given the economy’s heavy reliance on tourism, government officials could not rule out the possibility of child prostitution or the involvement of children in drug trafficking. See Hurst, letter dated October 18, 2001. See also U.S. Department of State, Country Reports- 2001: Antigua and Barbuda, 2562-63, Section 5

114 According to the 1973 Education Act, it is mandatory for government to provide education to children between the ages of five and sixteen years. Thirty of the fifty-five primary schools in Antigua and Barbuda are public schools where schooling is free. The government also provides free textbooks and schooling supplies to private schools through the Board of Education. See UNESCO, EFA 2000 Report: Antigua and Barbuda.


116 Between 1990-1999, of 13,170 births nationally, 211 were to girls under 15, and 1391 were to girls under 18. Currently the government is working to provide educational opportunities to young mothers who have dropped out of school, however these efforts have been inadequate. See UNICEF, Social Policy, Development and Planning: Priorities, National Initiatives and Project Scope, Caribbean Area Office, [online] [cited November 26, 2001]; available from http://www.unicef-cao.bb/spdp1.htm.

117 UNICEF, Antigua and Barbuda.

16 years of age cannot work more than eight hours in a 24-hour time period or during school hours.119 The Constitution prohibits slavery and forced labor.120

The Sexual Offences Act of 1995 raised the age of consent in Antigua and Barbuda from 14 to 16 years of age. The Sexual Offences Act also prohibits prostitution, including child prostitution, and makes the offense punishable with a sentence of up to 15 years in prison.121 There is no comprehensive law prohibiting trafficking in persons; however, existing laws on prostitution and labor provide a legal framework to prosecute individuals for trafficking offenses.122

The Ministry of Labor is required to conduct periodic inspections of workplaces.123 The police and social welfare departments investigate the criminal and social aspects of child labor.124 In August 2001, a case implicating high-ranking members of society in a child pornography and prostitution ring was prosecuted in court.125 Fines for those arrested were extremely low and some alleged offenders were, reportedly, allowed to leave the country permanently.126 Observers claimed that there was an effort to cover up the incidents rather than to prosecute in accordance with existing legislation for the protection of minors.127


119 Division E, Labor Code, Section E3-E5 (3).
122 U.S. Department of State, Country Reports- 2001: Antigua and Barbuda, 2563-64, Section 6d. Prostitution and drug trafficking laws establish penalties, including fines, confinement, confiscation of property, or a combination of the three. See U.S. Embassy- Bridgetown, unclassified telegram 1773.
123 There is an Inspectorate in the Labor Ministry that handles exploitative child labor matters. U.S. Department of State, Country Reports- 2001: Antigua and Barbuda, 2563-64, Section 6d.
124 Hurst, letter dated October 18, 2001, 3.
125 Ibid. See also U.S. Department of State, Country Reports- 2001: Antigua and Barbuda, 2562-63, Section 5.
127 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Argentina has been a member of ILO-IPEC since 1996. In August 2000, a National Commission for the Eradication of Child Labor (CONAETI) was established to evaluate and coordinate efforts to prevent and eradicate child labor with the participation of governmental and nongovernmental organizations and ILO-IPEC. Its activities include legal analysis, the compilation of child labor statistics, and the formation of inter-institutional agreements to initiate projects to prevent and combat child labor. The commission has carried out projects to eradicate child labor among garbage pickers and to prevent child labor through support for schooling and stable family income. Currently, CONAETI is preparing a national child labor survey with technical assistance from ILO-IPEC’s SIMPOC to collect data on working children. The Commission has also coordinated four sectoral agreements with labor organizations and businesses to examine and address child labor issues in the clothing, footwear, agriculture and construction industries. One such agreement in 2001 among CONAETI, the Rural Workers and Stevedores Union of Argentina and the Agrarian Federation of Argentina involved the implementation of programs to discourage exploitative child labor and to promote primary schooling in rural areas.

With support from ILO-IPEC, the Government of Argentina has engaged in activities to raise awareness on the issue of child labor, strengthen national child labor policies, promote legislative reform, and address child labor in the brick-making sector. In 2002, Argentina became a participant in an ILO-IPEC regional project to prevent and eliminate commercial sexual exploitation of children in the border area with Brazil and Paraguay.

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131 ILO-IPEC official, electronic communication to USDOL official, August 28, 2002. See also U.S. Embassy- Buenos Aires, unclassified telegram no. 4240.

132 U.S. Embassy- Buenos Aires, unclassified telegram no. 4240.

133 ILO-IPEC Regional Office for Latin America and the Caribbean, Ficha País: Argentina.

134 The project was initiated in 2001 in Brazil and Paraguay with funding from USDOL. Funding to support the participation of the Government of Argentina will be provided by the Government of Spain. See ILO-IPEC, Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents on the Border of Paraguay/Brazil (Ciudad del Este - Foz do Iguazú), technical progress report, Geneva, August 23, 2002, 3, 40.
The National Council for Children and Family, a government organization reporting to the Ministry of Social Development and Environment, provides technical assistance to ensure that national commitments in regard to children are fulfilled across Argentina’s provinces. Together with the Attorney General, the Ministry of Justice and Human Rights, the National Council of Women, and UNICEF, the National Council has developed an action plan for the elimination of child prostitution.

The government is also involved in regional efforts aimed at combating child labor. In 1997, Argentina was a party to the Declaration of Buenos Aires, in which the Mercosur countries (Argentina, Brazil, Paraguay, and Uruguay) and Chile agreed to promote the harmonization of regional laws related to child labor. In 1998, Argentina signed the Social Labor Declaration with the other members ofMercosur, in which signatories pledged to share information on child labor inspection procedures and statistics. Argentina is also participating in a regional ILO-IPEC initiative to promote the involvement of labor unions in efforts to eradicate child labor.

The Argentine Government is working with international organizations to improve the education system for disadvantaged children and combat child labor. Provincial governments are working with UNICEF to raise awareness of the importance of education and promote family and community involvement in educational design; and provide alternative income opportunities for families of child laborers so they can attend school. UNDP currently funds a program on social and labor problems that includes the eradication of child labor in Argentina as one of its goals. In 1997, the government received a loan from the Inter-American Development Bank (IDB) to implement programs assisting youth in low-income families, including the distribution of


141 United Nations Development Programme, Programa de Atención de Problemas Sociolaborales (Proyecto ARG/00/023), [online] [cited August 6, 2002]; available from http://www.undp.org.ar/scripts/zope.pcgi/PNUD/proyectos/UIDetallesDeUnProyecto?proyecto=ARG/00/023;&_filtro=
scholarships to reduce the dropout rate among 13 to 19 year olds. The IDB provided a loan to the government in 2001 aimed at supporting the provinces in improving the quality, equity and efficiency of the education system, thereby promoting increased future employment opportunities for young people from poor families. Argentina has also received funding from the World Bank to reform secondary education both in Buenos Aires and in the provinces.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 2.4 percent of children ages 10 to 14 years in Argentina were working. Children work in agriculture (tea and tobacco), trash recycling, sales, begging, and domestic labor. The commercial sexual exploitation of children is a problem in Argentina. There also have been reports of children being trafficked from rural to urban areas of Argentina and of children being trafficked from Latin American and Asian countries to Argentina for purposes including commercial sexual exploitation. The Bolivian government is investigating the possible trafficking of Bolivian children through Argentina to Europe.

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146 ILO-IPEC Regional Office for Latin America and the Caribbean, *Plan Subregional*, 7.


Education is free and compulsory in Argentina for a minimum of nine years, beginning at age six. In 1998, the gross primary enrollment rate was 119.7 percent, and the net primary enrollment rate was 106.8 percent. According to a government survey in 2001, 98.7 percent of children ages 6 to 12 attended school, and 97.5 percent of children ages 13 to 14 attended school. In 1997, repetition rates for males were higher than those for females.

**Child Labor Laws and Enforcement**

The Law on Labor Contracts (No. 20.744) sets the minimum age for employment at 14 years, but children of legal working age are prohibited from entering employment if they have not completed compulsory education, which normally ends at 15 years. Children who are under the age of 14 may work in businesses where only family members are employed, as long as the work is not dangerous to them. Children between the ages of 14 and 18 are prohibited from working more than six hours a day and 36 hours a week, with certain exceptions for 16 to 18-year-olds, and must present medical certificates that attest to their ability to perform such work. Children under the age of 18 are prohibited from working between the hours of 8 p.m. and 6 a.m. and from engaging in work that could endanger their safety, health or moral integrity. The Constitution prohibits slavery. The Penal Code prohibits the trafficking of children for prostitution.

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152 Net enrollment rates greater than 100 percent indicate discrepancies between the estimates of school-age population and reported enrollment data. World Bank, *World Development Indicators 2002*.
155 See *Ley de Contrato de Trabajo*, Article 189.
156 Children between ages 16 and 18 can work 8 hours a day and 48 hours a week if they obtain the permission of administrative authorities. See Ibid., Articles 190-92.
157 Ibid., Article 190. See also Articles 10 and 11 of the Ley No. 11.317 as cited in Ministry of Labor Employment and Social Security, *Normativa que regula el trabajo infantil*. See also U.S. Embassy- Buenos Aires, *unclassified telegram no. 4240*.
159 Article 127 of the Penal Code states, “A person who promotes or facilitates the entry into or exit from the country of a woman or minor for the purposes of prostitution shall be punished by detention or a prison term from three to six years.” See Government of Argentina, *Código Penal*, Título III, Article 127 bis, [cited December 12, 2002]; available from http://www.undp.org/rblac/gender/campaign-spanish/argentina.htm.
In January of 2000, the government enacted a federal law that establishes a unified regime of sanctions for the infringement of labor laws, but child labor laws are still enforced on a provincial or local basis. Violators of underage employment laws can receive a fine of USD 1,000 to 5,000, but penalties are not consistent from province to province.\textsuperscript{161}

The Government of Argentina ratified ILO Convention 138 on November 11, 1996 and ILO Convention 182 on February 5, 2001.\textsuperscript{162}

\textsuperscript{161} This law replaced provincial laws previously in effect. See U.S. Embassy- Buenos Aires, \textit{unclassified telegram no. 4240}.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor


Since June 2000, the Organization for Security and Cooperation in Europe (OSCE) Yerevan Office has assembled and distributed an information pack on the subject of anti-trafficking, including policy and legislative documents. To facilitate government efforts against trafficking, the OSCE has developed a matrix that outlines all ongoing and planned anti-trafficking activities by NGO’s and international organizations. The World Bank is currently implementing the Second Social Investment Fund Project, which is upgrading schools, repairing school heating systems, and funding furniture purchases for schools, as well as other community development activities.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Armenia are unavailable. However, there are reports that children are working in family businesses and on family farms, which is not forbidden by law. Additionally, children in the streets of Yerevan can be observed, often during school hours, selling newspapers and flowers. Conscription of minors

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166 OSCE Yerevan Office official, electronic communication, February 20, 2003.


into the armed forces is also reported to be of special concern. A report by the IOM and OSCE in 2001 found that women and children are trafficked from Armenia to Turkey and the United Arab Emirates, often to work in the sex trade.

Primary and secondary education is free for all children and compulsory until the age of 14. The gross primary enrollment rate was 87.4 percent in 1996. Primary school attendance rates are unavailable for Armenia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Dropout, retention, and absenteeism rates remain high in Armenia; possibly as a result of the high number of non-native Armenian-speaking students and the requirement that all classes must be taught in the Armenian language. Access to education in rural areas remains poor. Agricultural responsibilities take precedence over school in rural areas, and children work in the fields during harvest season leading to prolonged absence from school.

**Child Labor Laws and Enforcement**

The Labor Code of 1996 prohibits the employment of children under the age of 16, except in rare cases when a child of 15 years can work in non-dangerous labor situations, with the consent of his/her parents and/or the labor union of the organization. Children under the age of 18 are prohibited from working in “harmful or hazardous” conditions, such as underground work, and may not work overtime, on holidays, or at night. Additionally, children may not work in employment activities that may compromise their health, physical, or mental development, or interfere with their education. UN officials raised concerns regarding disparities between the Labor Code and the

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174 World Bank, *World Development Indicators*.

175 For a more detailed description on the relationship between education statistics and work, see the *Introduction* to this report.

176 Because of the serious economic problems, an increasing number of Armenian as well as minority students are leaving school early to work to help support their families. See UN Committee on the Rights of the Child, *Concluding Observations*, para. 44. See also U.S. Embassy—Yerevan, *unclassified telegram no. 2213*.

177 UN Committee on the Rights of the Child, *Concluding Observations*, para. 44.


179 Ibid., Articles 19, 198.1.

180 Workers between the ages of 16-18 must have a shorter workday and cannot work more than 36 hours per week, according to the Labor Code (children between the ages of 15 and 16 can only work 24 hours per week). The government maintains a list of “hazardous and harmful” jobs in which children are not allowed to work. See Ibid., Labor Codes, 200, 02, 15.

181 U.S. Embassy—Yerevan, *unclassified telegram no. 2213*. 
Armenian Civil Code. According to Article 13 of the Civil Code, minors under the age of 15 are required to obtain a parent’s consent in order to engage in employment contracts, but this consent is not required for children to engage in small contracts relating to everyday matters. The Constitution and the 1992 Law on Employment prohibit forced labor by children. The Armenian Administrative Code makes prostitution illegal and punishable by fine. Armenian laws do not prohibit trafficking in persons specifically, however kidnapping is prohibited and is punishable by imprisonment of 5 to 12 years.

The Ministry of Welfare and the National Police are responsible for monitoring and enforcing child labor laws. There are no reports of child labor complaints being investigated since at least 1994. Armenia is a member of the ILO but has not ratified either ILO Convention 138 or ILO Convention 182.

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182 UN Committee on the Rights of the Child, Concluding Observations, para. 22.
183 This legal loophole would explain why children under the age of 15 may legally work in family businesses, such as agriculture. See Committee on the Rights of the Child, Consideration of Reports Submitted by the States Parties Under Article 44 of the Convention: Initial Reports of States Parties Due in 1995, Addendum: Armenia, CRC/C/28/Add.9, United Nations, July 1997, Paragraph 9. See also UN Committee on the Rights of the Child, Concluding Observations, para. 22.
187 If a complaint alleging child labor abuse is brought to the attention of the Ministry of Labor, an agent in the Ministry may investigate or turn the case over to the National Police. Family-run businesses may not be monitored as closely because of legal and cultural reasons. In this context, exploitation of children by a child’s family may not be reported. See U.S. Embassy—Yerevan, unclassified telegram no. 2213.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Bahamas is an associated country of ILO-IPEC. In 1992, the Government of the Bahamas announced a five-year education development plan and in 1993 commissioned a federal task force on education. The goals of the education plan included improved access to and increased investment in primary education; and public expenditures on education increased throughout the 1990’s from 15.6 percent of the national budget in 1991 to 21.7 percent of the national budget in 1997. This increase financed the construction of six new primary schools between 1992 and 1999, higher teacher salaries and investment in equipment.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in the Bahamas are unavailable. Some children work part-time in light industry and service jobs.

Education is compulsory and free for children through age 16. In 1998, the gross primary enrollment rate was 93.2 percent and the net primary enrollment rate was 87.3 percent. Primary school attendance rates are unavailable for the Bahamas. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Notwithstanding these efforts, the level of curriculum mastery for a significant number of students fell below the expected norm throughout the 1990s.

191 Ibid.
192 Teacher qualifications and teacher certifications have also increased over this period. Ibid.
197 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The Labor Code sets the minimum age of employment at 14 years for industrial work or work during school hours. Children under age 16 may not work at night. There is no legal minimum age for employment in other sectors, and the Constitution prohibits forced or compulsory labor.199

The Ministry of Labor is responsible for enforcing labor laws and its inspectors conduct on-site visits; however, inspections occur infrequently and are normally announced to the employer in advance.200 There are no laws that specifically address trafficking in persons. The Penal Code bans prostitution and prohibits the detention of persons against their will and for immoral purposes. As of 2001, there were no reports of trafficking, and the government had not prosecuted any trafficking cases.201


201 Ibid., 2589-90, Section 6f.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bahrain is in the process of drafting new labor legislation that is intended to bring the country into full compliance with ILO Convention 182. In conjunction with this, a national action plan has been developed to help implement the Convention. The government has also established educational training programs for school drop-outs.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Bahrain are unavailable. Children work in family businesses and in the informal sector as car washers, vendors and porters. Child trafficking is a problem throughout the Middle East and the Gulf States, although there are no official confirmations of such activities in Bahrain.

Primary education is compulsory and free under the Constitution and generally lasts until the age of 12 or 13. In 1998, the gross primary enrollment rate was 104 percent, and the net primary enrollment rate was 97 percent. Primary school attendance rates are unavailable for Bahrain. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Bahrain’s Shura Council approved a draft Education Law on

204 Ibid.
211 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
October 9, 2001, that will enforce the compulsory aspect of education by imposing fines on parents of students who fail to attend school.212

Child Labor Laws and Enforcement

The Labor Law of 1976 establishes 14 years as the minimum age for employment. According to the Labor Law, juveniles between the ages of 14 and 16 may not be employed in hazardous conditions, at night, or for more than six hours per day.213 The Ministry of Labor and Social Affairs has inspectors to enforce legislation in the industrial sector, and reports indicate that the mechanisms in place are effective.214 Labor laws do not apply to child domestic workers.215 Forced or compulsory child labor is prohibited by the Constitution.216 Prostitution is illegal under the Penal Code, and there are increased penalties for offenses involving a child less than 18 years of age.217


212 U.S. Embassy- Manama, unclassified telegram no. 3448.
215 There are no available statistics on the numbers of domestic child laborers and servants. Also, laws are intended to protect Bahraini citizens, and there is no reliable way to monitor or control working conditions for foreign or illegal workers. Ibid., 2013-16, Section 6c.
216 Constitution of Bahrain, Article 13(c).
217 The Penal Code prohibits solicitation for the purposes of prostitution, enticing a person to commit acts of immorality or prostitution, living off the profits from prostitution, and establishing a brothel. Punishments range from 2 to 10 years of imprisonment depending on the crime and the age of the victim. Bahraini authorities actively enforce the laws against prostitution, and violators are dealt with harshly and can be imprisoned or, if brought against a non-citizen, deported. In some cases, authorities reportedly return children arrested for prostitution and other nonpolitical crimes to their families rather than prosecute them, especially for the first offense. See Penal Code of Bahrain, Articles 324-329, as cited in Protection Project, “Bahrain.” See also U.S. Department of State, Country Reports- 2001: Bahrain, 2011-13, Section 5.
Bangladesh

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bangladesh has been a member of ILO-IPEC since 1994. The ILO-IPEC program in Bangladesh has implemented many action programs targeting the worst forms of child labor through awareness raising, education opportunities for children, income generating alternatives for families, and capacity building of partner organizations. These programs include USDOL-funded projects to eliminate child labor in the garment sector and in five hazardous industries, including bidis, construction, leather tanneries, matches, and domestic service. In 2000, USDOL also provided funding for a second national child labor survey, which will be conducted in 2002 – 2003 by the Bangladesh Bureau of Statistics with technical assistance from ILO-IPEC’s SIMPOC.

Bangladesh is one of three countries included in the USDOL-funded ILO-IPEC South Asia Sub-Regional Programme to Combat Trafficking in Children for Exploitative Employment. The Bangladesh Ministry of Labor, with the support of USAID, is implementing projects to combat child labor in selected hazardous industries including printing and bookbinding, welding, weaving, and fisheries. In April 2000, the Government of Bangladesh began a stipend program that


221 A bidi is a type of small, hand-rolled cigarette.

222 In 2000, IPEC initiated a project targeting child labor in five hazardous industries. In addition, in 1995 and again in 2000, the Bangladesh Garment Manufacturers’ Association, the ILO, and UNICEF signed Memoranda of Understanding (MOUs) aimed at eliminating child labor in the garment industry. ILO-IPEC, Preventing and Eliminating the Worst Forms of Child Labor in Selected Formal and Informal Sectors, project proposal, BGD/00/P50/USA, Geneva, August 2000, front page. See also ILO-IPEC, Continuing the Child Labour Monitoring and Education Components, and Prepare for the Integration into a Broader Project in the Garment Export Industry in Bangladesh, project proposal, Geneva, March 2001, 2. See also The Second Memorandum of Understanding (MOU-2) Between the Bangladesh Garment Manufacturers’ and Exporters’ Association (BGMEA), ILO, and UNICEF Regarding the Monitoring To Keep Garment Factories Child Labour Free, the Education Programme for Child Workers, and the Elimination of Child Labour, Geneva, June 16, 2000.


224 ILO-IPEC, South-Asian Sub-Regional Programme To Combat Trafficking in Children for Exploitative Employment in Bangladesh, Nepal and Sri Lanka, technical progress report, RAS/00/05/010, February 2000.

225 ILO, The Effective Abolition of Child Labour, 216.
provides 20 taka (USD 0.36) per month to mothers of poor households as an incentive to send their children to school.226

With the support of UNICEF and ILO-IPEC, the government drafted the National Plan of Action on Trafficking and Sexual Exploitation of Children in early 2001.227 With assistance from the Government of Norway, the Ministry of Women and Children’s Welfare is implementing a three-year project to reduce child trafficking in Bangladesh by strengthening local capacity and training law enforcement officers.228 The Department of Social Services, under the Ministry of Welfare, is also implementing a project for socially disadvantaged women and children that assists victims of commercial sexual exploitation.229 In January 2002, Bangladesh signed the Convention on Prevention and Combating Trafficking in Women and Children for Prostitution with other South Asian Association for Regional Cooperation countries.230

As part of its Country Program 2001–2005, the World Food Program provides fortified snacks to children in state schools in poor areas not serviced by other programs.231 The government also collaborates with UNICEF on the Basic Education for Hard to Reach Urban Children’s Project that provides two-year basic literacy education to over 350,000 working children living in poor, urban areas.232 A second National Plan of Action for Children (1997 – 2002) was approved by the cabinet in January 1999 and made public in September that same year. The Plan addresses issues including primary and secondary education, health, nutrition and children in need of special protection.233 However, it is reported that the Plan is currently inactive.234


228 As part of this program, a National Taskforce for Anti-Child Trafficking was formed with public and private participation. See U.S. Department of State, Trafficking in Persons Report: Bangladesh, 27. See also ECPAT International, Bangladesh.


Incidence and Nature of Child Labor

In 2000, the ILO estimated that 27.7 percent of children ages 10 to 14 years in Bangladesh were working. Children are frequently found working in the agricultural sector and in the informal sector. Children are found working in a variety of hazardous occupations and sectors, including bidi factories, construction, tanneries, and the seafood and garment industries. There are over 12,000 children working in hazardous conditions throughout the city of Dhaka. Children also work as domestic servants, porters, and street vendors, and are sexually exploited as prostitutes. In addition, many children are also reported to be involved with criminal gangs engaged in arms and drug trading, toll collection and smuggling.

Children from Bangladesh are trafficked internationally for purposes of bonded labor, domestic service and sexual exploitation. UNICEF estimates that 4,500 children from Bangladesh are trafficked to Pakistan each year. India is another common destination for trafficked children and the lack of enforcement at the border facilitates illegal border crossings. Trafficking also takes place from rural areas of Bangladesh to its larger cities, and to countries in the Gulf region and the Middle East. Young boys have been trafficked to the United Arab Emirates (UAE) and Qatar to

238 For the complete list of 47 sectors see Dr. Wahidur Rahman, Hazardous Child Labor in Bangladesh, Bangladesh Department of Labor and ILO, Dhaka, 1996, 3, 4.
240 Dr. Wahidur Rahman, Child Labour Situation in Bangladesh: Rapid Assessment, ILO in collaboration with UNICEF, ix, 23.
241 Ibid., xi.
244 ECPAT International, Bangladesh.
245 Ibid.
246 U.S. Department of State, Trafficking in Persons Report: Bangladesh, 27.
work as camel jockeys. However, in 2002, the Government of the UAE made progress in stemming the trafficking of children to the country.

In 1991, the Government of Bangladesh made primary education compulsory for children between the ages of 6 and 10. Bangladesh has achieved gender parity in primary school enrollment. In 1998, the gross primary enrollment rate was 96.5 percent, and the net primary enrollment rate was 81.4 percent. Primary school attendance rates are unavailable for Bangladesh. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The quality of primary education in Bangladesh is poor, in part due to inadequate teaching hours, high pupil-to-teacher ratio, and a lack of physical facilities. Basic competency surveys reveal that only one-half of children who complete primary schools in Bangladesh achieve a minimum basic education level.

**Child Labor Laws and Enforcement**

The minimum age for employment varies according to sector. The Employment of Children Act prohibits children less than 12 years of age from working in the tanning, bidi, carpet, cloth, cement, and fireworks manufacturing sectors. The Act also prohibits children less than 15 years old from working in railways. The Mines Act prohibits children under 15 years old from working in mines.

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248 Efforts include a decision to ban jockeys below 15 years of age and weighing less than 45 kg (99 lbs.); a requirement that youth undergo various forms of medical testing to determine if they are of age to race; and humane repatriation initiatives. See Xinhua News Agency, *UAE: UAE Decision to Help Stop Smuggling of Bangladeshi Children*, The Protection Project Daily News Archives, [online] August 1, 2002 [cited October 8, 2002]; available from http://www.protectionproject.org/main1.htm. See also IOM, *Bangladesh- Child Camel Jockey Repatriation*, August 20, 2002. See also U.S. Department of State official, electronic communication to USDOL official, March 5, 2003. There is limited information on the efforts by the Government of Qatar to combat trafficking.


252 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


The Factories Act and Factories Rules establish 14 years as the minimum age for employment in factories, and the Children’s Act of 1974 prohibits the employment of children less than 16 years as beggars and in brothels. There are no specific laws covering the informal sectors, such as agriculture and domestic work, although the majority of child workers fall under these categories. The Constitution forbids all forms of forced labor. The Suppression of Immoral Traffic Act prohibits importing females for the purposes of prostitution. The Oppression of Women and Children Act of 1995 prohibits the trafficking of women and girls, and the selling or hiring of girls less than 18 years for prostitution. The legal definition of prostitution does not account for males, so the government does not address the growing problem of boy child prostitution.

The Ministry of Labor and Employment is designated to enforce labor legislation; however, there are no penalties for breaking child labor laws. Due to a lack of manpower, child labor laws are seldom enforced outside of the garment export industry. The National Children’s Council monitors the implementation of the Convention on the Rights of the Child and is the highest authority for overall policy guidance on child development. Government officials have arrested, prosecuted and assigned prison sentences to some traffickers.


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258 U.S. Embassy- Dhaka, unclassified telegram no. 2999. See also ILO-IPEC, South-Asian Sub-Regional Programme, technical progress report.

259 U.S. Embassy- Dhaka, unclassified telegram no. 2999.


262 ECPAT International, Bangladesh.

263 The Ministry has only 110 inspectors to monitor about 180,000 registered factories and establishments. According to a Ministry official, there have been no prosecutions for violations of child labor laws. U.S. Embassy- Dhaka, unclassified telegram no. 2156, October 2001. See also U.S. Embassy- Dhaka, unclassified telegram no. 2999. See also Latifur Rahman, Deputy Secretary, Ministry of Labor and Employment, interview with USDOL official, June 29, 2000.

264 ECPAT International, Bangladesh.

265 Ministry of Women and Children Affairs, National Report on Follow-up to the World Summit for Children, 1.e. “Renewed Commitment to the Convention on the Rights of the Child”.

266 U.S. Department of State, Trafficking in Persons Report: Bangladesh.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In October 2001, the Government of Barbados launched a pilot national child labor study, in cooperation with the ILO Caribbean Office, to assess the extent of worst forms of child labor in Barbados. Preliminary regional research has shown that worst forms of child labor may exist in the criminal and informal sector in many Caribbean countries. The Government of Barbados and labor unions, like the Barbados Workers Union, have continued to work to prevent child labor in the formal sector within the country and across the Caribbean region. The Government continues to ban all imports from countries where child labor was utilized in the production process.

The Ministry of Education has committed itself to a seven-year Education Sector Enhancement Program to rehabilitate school buildings, ensure that primary and secondary schools are equipped with computers, and train teachers to help children become computer literate. The government has established an Educational Media Resource Center to review software for use in the country’s schools, especially in relation to the programs intended to promote computer literacy.

Incidence and Nature of Child Labor

According to ILO and the government, there are no working children under the age of 15 in Barbados. Information on child labor practices in the informal sector is limited. The government is willing to investigate and inspect cases of child labor if incidents of child labor should arise.

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269 Ibid.


271 U.S. Embassy- Bridgetown, unclassified telegram no. 1782.


273 Ibid.


275 U.S. Embassy- Bridgetown, unclassified telegram no. 1782.
Education is free of charge in government institutions and compulsory between the ages of 5 and 16. School attendance is strictly enforced.\textsuperscript{276} In 1996, the gross and net enrollment rates were 97.3 percent.\textsuperscript{277} Primary school attendance rates are unavailable for Barbados. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{278}

\textbf{Child Labor Laws and Enforcement}

According to the Miscellaneous Provisions of the Employment Act, 16 years is the minimum age for employment in Barbados, and children are not permitted to work during school hours.\textsuperscript{279} The Minister of Labor must authorize apprenticeships and vocational training. A child undertaking an apprenticeship must have a certificate from a medical professional certifying that the apprentice or trainee is fit to meet the requirements of the job.\textsuperscript{280} The Police Force and the Department of Labor have jurisdiction over the monitoring and enforcement of child labor legislation,\textsuperscript{281} and labor inspectors conduct spot checks of businesses and check records to verify compliance with the law.\textsuperscript{282}

The Constitution prohibits forced labor.\textsuperscript{283} Any adult who has sexual intercourse with a child under 14 years of age may be imprisoned for life. If the child is between 14 and 16 years of age the

\textsuperscript{276} School attendance officers and parents can be fined or imprisoned (for no more than 3 months) for failure to enforce attendance. Ibid.

\textsuperscript{277} World Bank, \textit{World Development Indicators 2002}. Most children complete primary school at the age of 11, at which point they must take a standardized test which determines whether the children qualify for formal secondary school or a trade school. The government notes that the population figures used to determine the net and gross education rates were extrapolated from the 1990 census and therefore may skew the enrollment rates. UNESCO, \textit{EFA 2000 Report: Barbados}, Part II, Analytic Section. See also UN Committee on the Rights of the Child, \textit{Consideration of Reports Submitted by States Parties under Article 44 of the Convention}, CRC/C/3/Add.45, United Nations, Geneva, February 1997, para. 173.

\textsuperscript{278} For a more detailed description on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{279} Employment Act, Sections 14 (1), (2) stipulates that no person may employ of children of compulsory school age during school hours. See U.S. Embassy- Bridgetown, \textit{unclassified telegram no. 1782}. See also UN Committee on the Rights of the Child, \textit{Consideration of Reports}, para. 202.

\textsuperscript{280} The Employment Act, Chapter 42, Section 2, 20, 29, and 30 also establishes guidelines and penalties to ensure that the apprenticeship or training does not become exploitative. U.S. Embassy- Bridgetown, \textit{unclassified telegram no. 1782}.

\textsuperscript{281} According to the Employment Act, Section 17 and 19, police have the authority to enter any business under suspicion of using child laborers in order to inspect the facilities. According to the Employment Act, Section 15, the penalty for violating child labor legislation is imprisonment for up to 12 months or a fine of up to USD 1,000. Ibid.


\textsuperscript{283} Constitution of Barbados, Article 14 [cited August 15, 2002]; available from http://www.georgetown.edu/LatAmerPolitical/Constitutions/Barbados/barbados.html.
person may be imprisoned for 10 years.²⁸⁴ Procurement of all persons for prostitution is illegal and punishable with 15 years in prison.²⁸⁵


²⁸⁵ Ibid., Article 13.
Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Belize has been a member of ILO-IPEC since 2000. On November 11, 2000, the Government of Belize announced the launch of a Program to Eliminate Child Labor (PETI) in the Northern District of Corozal, which is the country’s primary sugar cane area. The project was being implemented by the National Organization for the Prevention of Child Abuse (NOPCA), and is co-sponsored by USAID and the International Service Foundation for Peace and Democracy (FUNPADEM), a regional organization promoting peace and democracy in Central America. PETI included measures to rehabilitate working children and return them to school, and to gather information on social conditions contributing to child labor. Before the program announcement, the government had established a National Committee for Families and Children, including a subcommittee to specifically address child labor. The Government of Belize is completing a national child labor survey, funded by USDOL with technical assistance from ILO-IPEC’s SIMPOC, to collect qualitative and quantitative data on the nature and extent of child labor in the country to support effective interventions against child labor.
Since 1988, the government has had a National Apprenticeship Program, which provides young persons (between 14 and 18 years) who are no longer in school with work experience and a stipend.293 From 1990-2000, the World Bank and the Government of Great Britain supported the Government of Belize in its efforts to improve primary education under UNESCO’s Education for All program. These efforts included the expansion of primary school facilities, improvement of teacher education, enhancement of education quality through curriculum development, establishment of a text book loan scheme, and strengthening of the capacity of the Ministry of Education.294

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 1.9 percent of children ages 10 to 14 years in Belize were working.295 In rural regions, children are found working on family plots and businesses after school, on weekends and during vacations296 and are involved in the citrus, banana, and sugar industries as field workers.297 In urban areas, children shine shoes, sell newspapers and other small items, and work in markets.298 Teenage girls, many of whom are migrants from neighboring Central American countries, are reported to work as domestic servants, bar maids and

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296 It is common for children to work on family plots or sell family produce after school or on the weekends. Different ethnic communities take varied approaches to child labor. The agrarian-based Mennonite community, for example, shifted its school year so that an extended school vacation would coincide with the harvest. Similarly, the Mayan community has attempted to balance agricultural work and school for its youth. Within the ethnic Chinese immigrant population, children routinely help in family shops and restaurants. According to Belizean labor union leaders, these are not examples of exploitation but rather acceptable aspects of child work tied to the family structure. See U.S. Embassy- Belize, *unclassified telegram no. 771*, July 2000.

297 In the past few years, the northern Commercial Free Zone, which caters to cross-border Mexican trade, has developed a booming commercial sector, and children work in trading, transportation, micro-businesses and other sectors. Immigrant and migrant children are particularly susceptible to work in the informal sector and the banana industry. See Puck, “Belize Forced Child Labour”. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations of the Committee on the Rights of the Child: Belize*, CRC/C/15/Add.99, United Nations, Geneva, May 10, 1999, 7. The Corozal District is cited as a region with particularly high levels of child labor, with children working in cane farming and as shop assistants and gas attendants. See U.S. Embassy- Belize, *unclassified telegram no. 122*. See also U.S. Department of State, *Country Reports 2001: Belize*, 2603-05, Section 6d.

298 U.S. Embassy- Belize, *unclassified telegram no. 771*. 

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prostitutes. In 2000, there were rare reports of child trafficking for purposes of prostitution, but in 2001, there were no reports of such activity.

Education in Belize is compulsory between the ages of 5 and 14. Education is free, but related expenses, such as uniforms, are a financial strain on poor families. In 1998, the gross primary enrollment rate was 113 percent, and the net primary enrollment rate was 99.4 percent. Primary school attendance rates are unavailable for Belize. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 12 years of age. Children between the ages of 12 to 14 years may only participate in light work that is not harmful to life, health or education. In addition, children between 12 and 14 years may work only after school hours on a school day, between the hours of 6 a.m. and 8 p.m. on any day, and for a total of two hours on a school day or a Sunday. The Labor Law applies to all employment in the formal sector, but not to self-employment or employment by family members. The minimum age for employment near hazardous machinery is 17 years. The Labor Law sets penalties for non-compliance with minimum age standards at USD 20 or two months imprisonment for the first offense, and in the case of subsequent offenses, at USD 50 or four months imprisonment. The Ministry of Education investigates complaints of children not attending school and minor forms of child labor.

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299 Ibid.
301 Ibid.
303 Belize Education Act, Chapter 36, (April 24, 1991), [cited December 13, 2002]; available from http://www.belizelaw.org. After children finish their primary education, they may enter a secondary school, the government-run apprenticeship program, or a vocational institution. However, these programs have room for only about half of the children finishing primary school, and competition for spaces in secondary school is intense. See U.S. Department of State, *Country Reports 2001: Belize*, 2601-03, Section 5.
304 World Bank, *World Development Indicators 2002*.
305 According to the country’s Central Statistics Office, in the 1990s, 46 percent of children did not complete primary school. See U.S. Department of State, *Country Reports 2001: Belize*, 2601-03, Section 5.
306 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
308 U.S. Embassy- Belize, *unclassified telegram no. 771*.
309 Inspectors from the Departments of Labor and Education enforce this regulation. See U.S. Department of State, *Country Reports 2001: Belize*, 2603-05, Section 6d.
310 *Labour Act*, Section 172.
In addition, NOPCA receives complaints on the worst forms of child labor and refers them to the Department of Human Services and the Police. Cases are reported on a minimal basis, however.\footnote{Wendel D.J. Parham, Ministry of Labour, Local Government and Sugar Industry of Belize, letter to USDOL official, September 9, 2002.}

In 1998, Belize passed the Family and Children’s Act, which consolidated previous legislation regarding the protection of children in the formal sector. According to the Act, children (defined as persons below 18 years of age) are prohibited from employment in activities that may be detrimental to their health, education, or mental, physical, or moral development.\footnote{Government of Belize, \textit{Families and Children Act, 1998}, (July 8, 1998), 91-173 [cited December 13, 2002]; available from http://natlex.ilo.org/natlexnewfaceE.htm.} Forced and bonded labor are prohibited in Belize.\footnote{Constitution of Belize, 1981, Article 8(2) [cited October 10, 2002]; available from http://www.georgetown.edu/LatAmerPolitical/Constitutions/Belize/belize.html. See also U.S. Department of State, \textit{Country Reports 2001: Belize}, 2603-05, Section 6d} In general, the government effectively enforces this prohibition.\footnote{U.S. Department of State, \textit{Country Reports 2001: Belize}, 2603-05, Section 6d.}

Although trafficking in persons is not illegal according to national law, the Ministry of Human Development, Women and Civil Society, the police department, and the Ministry of National Security and Immigration investigate cases involving trafficking of children, and the Ministry of Immigration participates in investigations of cases involving migrant children.\footnote{Ibid., 2603-05, Section 6f.} The Criminal Code prohibits procuring a female for prostitution or operating a brothel.\footnote{Government of Belize, \textit{Criminal Code}, Articles 47-48 [cited December 13, 2002]; available from http://www.protectionproject.org/main1.htm.}

Benin

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Benin has been a member of ILO-IPEC since 1997\(^{318}\) and is one of nine countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.\(^ {319}\) In June 2002, the Africa Bureau and the Office to Monitor and Combat Trafficking in Persons of the U.S. Department of State launched a joint program to offer technical support to a variety of stakeholders in the West Africa region to combat the trafficking in persons, including the government of Benin.\(^ {320}\) In December 1999, the Ministry of Social Protection and Family established a unit for Family and Childhood that is working with UNICEF on a variety of programs to combat child trafficking.\(^ {321}\) One of these initiatives is to build crisis centers for children in every department (or sub-region) of the country.\(^ {322}\) The Government of Benin is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime (UNODC) to strengthen anti-trafficking efforts for women and children. UNODC is providing technical assistance in areas such as research and law enforcement training.\(^ {323}\)

In 1994, the Ministry of Justice and the Ministry of Family and Social Protection, with support from UNICEF, completed a study on runaway and abandoned children. According to the survey, 65 percent of the urban households surveyed had “fostered” a child from a rural area through a traditional practice of forced servitude called *vidomégon*.\(^ {324}\) Since 1999, the government, with support from UNICEF, carried out nationwide campaigns to raise awareness about the rights and responsibilities of persons engaged in *vidomégon*.\(^ {325}\)


\(^{321}\) UNICEF activities to combat trafficking have included establishing local committees in rural areas known to supply children; radio and television based awareness raising activities; microcredit programs and awareness programs targeted at women; supporting local NGOs working to help reintegrate trafficked children into their communities, and supporting international and regional efforts to combat child trafficking. ILO-IPEC, *Combating the Trafficking of Children (Phase II), project document*, Country Annex I, Benin.

\(^{322}\) Ibid., Country Annex I, Benin.


In 1991, the government developed a new educational policy to increase access to education, improve teacher quality, rehabilitate and build new school structures, provide non-formal and vocational training options, and lower the cost of education for families.\(^{326}\) USAID implements programs to help government ministries and local authorities reform education by encouraging the realignment of budget allocations to primary education, improving planning and financial management, supporting curriculum reform, providing teacher training, and enhancing student assessment.\(^{327}\) Since 1994, UNICEF and its partners have been implementing programs that allow the community to become directly involved in aspects of school administration and in promoting girls education.\(^{328}\)

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 26.5 percent of children ages 10 to 14 years in Benin were working.\(^{329}\) Benin is a source, destination and transit country for the cross border trafficking of children.\(^{330}\) Children from Benin are usually trafficked into Nigeria, Cameroon, Cote d’Ivoire, Gabon, and Niger;\(^{331}\) children from Burkina Faso, Niger, and Togo are sold into servitude in Benin.\(^{332}\) Trafficked children often work as agricultural workers, domestic servants, and commercial sex workers.\(^{333}\)

In Benin, children as young as 7 years old have been observed working on family farms, as domestic servants, on construction sites in urban areas, in public markets, and in other small enterprise-based jobs.\(^{334}\) The traditional practice of *vido*megon involves poor rural families placing children (typically daughters) in the homes of wealthier families, so that the children may

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\(^{328}\) In one of the project locations the number of children attending school has more than tripled between 1993-2000, and comparable gains have been observed in other project areas. UNICEF has plans to work with the government and its partners to expand this model and improve educational support for girls’ education in Benin. UNICEF, *Girls’ Education in Benin*.


\(^{331}\) ILO-IPEC, *Combating the Trafficking of Children (Phase II), project document, Country Annex 1, Benin*.


work and receive an education. The practice often degenerates into exploitation as children are forced to work as domestic servants, for long hours and with little or no access to education or wages. There are also reports of adolescents in Benin working in the sex industry as prostitutes.

Education in Benin is free and compulsory between the ages of 6 to 11. In 1998, the gross primary enrollment rate in Benin was 84.2 percent (88.4 percent for boys and 55.7 percent for girls). In 1996, the gross primary school attendance rate was 67.1, while the net primary school attendance rate was 43.6. Attendance rates also reflect the gender disparity in access to education.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years and prohibits forced labor. The prostitution of children is not specifically prohibited by law, but offenses can be prosecuted under decrees issued in 1905 and 1912 that prohibit using deceit, coercion or violence to entice a minor to satisfy another, or under the Law of April 13, 1946, that prohibits hiring or training prostitutes, sharing in the proceeds, acting as an intermediary for prostitution, or establishing a brothel. Trafficking of children is not specifically prohibited, although decree No. 95-191 (1995) states that adults wishing to exit the country with a child under 18 years of age must register with the proper local authority and pay a fee held in escrow until the child has been returned to the village.

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335 UN Committee on the Rights of the Child, *Initial Reports of State Parties: Benin.*


342 U.S. Department of State, *Country Reports- 2001: Benin, 30-33, Section 6c.*

343 The punishment for violating the Law of 1946 is imprisonment for 6 months to 2 years and a fine of 400,000 to 4 million francs (USD 599 to 5,997). See *Decrees of August 23, 1912 and February 7, 1905,* (1922); available from http://www.protectionproject.org/main1.htm. See also *Law of April 13, 1946,* (1946); available from http://www.protectionproject.org/main1.htm. For currency conversion see *FX Converter,* [online] [cited October 18, 2002]; available from http://www.carosta.de/frames/convert.htm.

Between 1994 and 1999, the Brigade for the Protection of Minors intercepted more than 3,700 children who were being trafficked. There are reports of the capture of traffickers but no reports of subsequent legal measures being taken to enforce legal penalties mandated by law. Most labor inspectors continue to limit their monitoring activities to the urban formal sector due to limited capacity and limited numbers.


347 U.S. Department of State, Country Reports-2001: Benin, 30-33, Section 6d.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bhutan is actively working with UNICEF to improve the country’s education system, with special emphasis on women, children, and disadvantaged students. Efforts are focused on improving primary, non-formal, and special education, as well as providing teacher training and essential school supplies.349

The World Bank is also funding an education program implemented by the Ministry of Health and Education aimed at increasing the number of graduates from basic education, raising levels of learning, and strengthening the management and administration of basic education. To achieve these goals, the project is constructing new schools and upgrading existing facilities, expanding and improving teacher education, revising curriculum and examinations, and introducing decentralized school monitoring and evaluation through management training.350

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 51.1 percent of children ages 10 to 14 years in Bhutan were working.351 Although detailed information on the sectors in which children are working is limited, it is reported that children are often engaged in agricultural work on family farms.352

Education, including technical and vocational education, is free up to the tertiary level for all children aged 6 years or older in Bhutan.353 In 1998, Bhutan had a gross primary enrollment rate of 71.9 percent. Gross enrollment varied between sexes, with boys enrolled at a rate of 82.1 percent and girls at 61.5 percent. The net primary enrollment rate was 52.9 percent in 1998, with 58.4 percent for boys and 47.2 percent for girls.354 The completion rate of at least seven years of

349 UNICEF, Second Chance at Literacy, UNICEF in Bhutan, [online] [cited October 1, 2002]; available from http://www.unicef.org/bhutan/educat.htm. In addition, the Education Department is launching an “inclusive education” program that will integrate students with disabilities into regular schools by renovating one school in each of the 20 school districts to provide basic facilities for disabled students and training for teachers. See UNICEF, Disabled Children Join Mainstream, UNICEF in Bhutan, [online] [cited July 8, 2002]; available from http://www.unicef.org/bhutan/disable.htm.


schooling in 1999 was 60 percent for girls and 59 percent for boys. Primary school attendance rates are unavailable for Bhutan. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Most of the primary schools in southern areas of Bhutan were closed in 1990. The closure of the schools in these areas, which are heavily populated by ethnic Nepalese, effectively limits the ability of ethnic Nepalese to obtain a basic education.

**Child Labor Laws and Enforcement**

The Regulation for Wage Rate, Recruitment Agencies and Workmen’s Compensation (1994) prohibits employment of any kind for children; however, the law does not establish a minimum age. The minimum age of 18 that was established for marriage, as amended in the Marriage Act of 1996, for all practical purposes sets the age of majority as 18 in all matters of the state. Bhutanese law prohibits forced or compulsory labor, but does not specifically mention children, although there are no reports that such practices occur. Trafficking in persons is not specifically prohibited, but there were no reports that persons were trafficked to, from or within the country. Bhutan is not a member of the ILO and therefore has not ratified ILO Convention 138 or ILO Convention 182.

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356 For a more detailed discussion on the relationship between school statistics and work, see the preface to this report.
358 UN Committee on the Rights of the Child, *Initial Reports of State Parties: Bhutan*, para. 32.
360 UN Committee on the Rights of the Child, *Summary Record: Bhutan*, para.41.
362 Ibid.
363 Ibid., 2407-08, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bolivia has been a member of ILO-IPEC since 1996. Since 2000, the government has been participating in a USDOL-funded ILO-IPEC regional project to eliminate child labor in small-scale mining in the Andean region. A second phase of this project began in September 2002. From 2000 to 2001, ILO-IPEC implemented a project to progressively eradicate child labor performed by street children in the city of El Alto.

In April 2001, the Bolivian Congress approved the USD 90 million National Plan for the Progressive Eradication of Child Labor 2000 – 2010 designed by the Inter-Institutional Commission for the Eradication of Child Labor. The Plan’s strategic objectives include the reduction of child labor for children under the age of 14, the protection of adolescent workers over the age of 14, and the elimination of the worst forms of child labor. The Plan also includes provisions to rehabilitate and reintegrate child victims of commercial sexual exploitation, although the government lacks funding for this and other project activities. In 2002, the government completed a study on child prostitution, the results of which will be used to create incentive programs to keep children away from this hazardous form of work.

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365 The regional project includes Bolivia, Ecuador and Peru. ILO-IPEC, Phase I: Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America, project document, (ILO) LAR/00/05/050, Geneva, April 1, 2000. See also ILO-IPEC, Phase II: Prevention and Progressive Elimination of Child Labor in Small-scale Traditional Gold Mining in South America, project document, RLA/02/P50/USA, Geneva, September 30, 2002.


368 The plan includes a variety of strategies to reach its goals, such as awareness raising and income-generating alternatives for families. Inter-Institutional Commission for the Eradication of Child Labor, Plan de Erradicación, 35, 38.


370 U.S. Department of State, Country Reports- 2001: Bolivia, 2617-21, Section 6d.

In October 2001, the Inter-American Development Bank (IDB) financed a program to strengthen technical and technological training for young school drop-outs with a gender-focused approach. In 2002, the World Bank invited Bolivia to participate in the Education for All Fast Track program to build on its success in creating and implementing policies to improve the quality and delivery of primary education. The Ministry of Education’s Vice-Ministry of Alternative Education has developed a night class curriculum designed to keep working children and adolescents in school by offering them flexible, contextual, vocational and reality based lessons. From 1996 to 2000, the Vice-Ministry of Gender, Generational and Family Affairs, with financing from the IDB, implemented a program for children between the ages of 7 and 12 who were working or at risk of dropping out of school. The program provided financial assistance to families of targeted children by covering school-related expenses, such as school materials, uniforms, transportation, and food.

**Incidence and Nature of Child Labor**

In 2000, UNICEF reported that 26.4 percent of children ages 5 to 14 years in Bolivia were working. Children generally enter the labor market between the ages of 10 and 12, but there are reports of children working who are as young as 6 years old. A 2002 poll found that the

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376 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Mario Guitiérrez Sardán for the Government of Bolivia, _Multiple Indicator Cluster Survey (MICS) Report: Bolivia_, UNICEF, La Paz, May 2001, [cited December 13, 2002]; available from http://www.childinfo.org/MICS2/newreports/bolivia/bolivia.pdf.

majority of urban working children were putting in significantly more than 40 hours per week.\textsuperscript{378} The greatest proportion of working children is in rural areas, where they work in the construction, livestock and agricultural sectors.\textsuperscript{379} A large number of working children are found working in sugar cane harvesting and production in Santa Cruz.\textsuperscript{380} In urban areas, children work in services, commerce, manufacturing, and family businesses and industry.\textsuperscript{381} Children also work as small-scale miners,\textsuperscript{382} domestic laborers and prostitutes.\textsuperscript{383} It is reported that children and adolescents are trafficked to Argentina, Chile and Brazil to work in agriculture, factories, trades, and as domestic servants.\textsuperscript{384}

The Constitution of Bolivia calls for the provision of education as a principal responsibility of the state and establishes free, compulsory primary education for eight years for children ages 6 to 14.\textsuperscript{385} In 1997, the gross primary enrollment rate was 105.8 percent and in 1998, the net primary enrollment rate was 97.1 percent.\textsuperscript{386} More than 56 percent of Bolivian children and adolescents do not attend or have abandoned school.\textsuperscript{387} In addition, prolonged teachers’ strikes often result in


\textsuperscript{382} ILO-IPEC, \textit{Phase I: Program to Prevent Child Labor in Gold Mining, project document}, 3.


\textsuperscript{387} Inter-Institutional Commission for the Eradication of Child Labor, \textit{Plan de Erradicación}, 11. In urban centers, 57 percent of all children between ages 7 and 12 leave school before the sixth grade. The drop-out rate was 89 percent in rural regions. Ministry of Sustainable Development and Planning, \textit{Proyecto de Continuidad del Programa}, 12. The Child and Adolescent Code calls upon the government to take steps to reduce school drop-out rates and in rural areas, to provide pedagogical materials and resources, to adapt the school calendar and attendance schedule to local realities, and to raise awareness within communities and among parents about the importance of registering children for school and maintaining their regular attendance. See Government of Bolivia, \textit{Ley del Código del Niño, Niña y Adolescente}, Ley No. 2026, Articles 115-116, (October 14, 1999), [cited December 13, 2002]; available from http://www.geocities.com/bolilaw/legisla.htm.
lengthy school closures, limiting children’s access to education.\textsuperscript{388}  Many children from rural areas lack identity documents and birth certificates necessary to receive social benefits and protection.\textsuperscript{389} In May 2002, a new Supreme Decree was issued that established a program to provide free birth certificates to children, especially in rural areas, born on or after the first of January 2002.\textsuperscript{390}  The Office of the First Lady is currently spearheading this project.\textsuperscript{391}

**Child Labor Laws and Enforcement**

The Child and Adolescent Code sets the minimum age for employment at 14 years.\textsuperscript{392}  National legislation on hazardous labor prohibits children from taking part in activities involving danger to health or morals, physically arduous labor, exposure to chemicals and noxious substances, dangerous machinery, and the production and handling of pornographic materials.\textsuperscript{393}  According to the Code, employers are required to ensure that adolescent apprentices attend school during normal school hours.\textsuperscript{394}

The Constitution prohibits any kind of labor without consent.\textsuperscript{395}  Prostitution is illegal for individuals under 18 years, but enforcement is poor and police raids are ineffectual and easily avoided.\textsuperscript{396}  All forms of pornography are illegal under Bolivian law.\textsuperscript{397}  The 1999 Law for the Protection of the Victims of Crimes Against Sexual Freedom prohibits individuals from benefiting from the corruption or prostitution of a minor.\textsuperscript{398}  The 1999 law also outlaws trafficking in persons for the purpose of prostitution.\textsuperscript{399}


\textsuperscript{390}  President of the Republic of Bolivia, *Decreto Supremo No. 26579*, (May 20, 2002), Article 1.

\textsuperscript{391}  UNFPA is providing partial funding for the project.  See U.S. Department of State official, electronic communication, February 7, 2003.

\textsuperscript{392}  *Ley del Código del Niño*, Article 126.

\textsuperscript{393}  Also included is work that involves thermal stress, vibration and noise, the production and/or sale of alcohol, entertainment (night clubs, bars, casinos, circuses, gambling halls), machinery in motion, mining, quarries, underground work, street trades, operating transportation vehicles, weights and loads, and the welding and smelting of metals.  ILO, *National Legislation on Hazardous Work*, [online] 1998 [cited August 5, 2002]; available from http://www.ilo.org/public/english/comp/child/standards/labourle/index.htm.

\textsuperscript{394}  *Ley del Código del Niño*, Article 146.


\textsuperscript{397}  Ibid.


\textsuperscript{399}  The law provides for sentencing for up to 12 year’s imprisonment if the victim is a minor.  Ibid., 321 bis.
An interagency Committee on Minors was formed to combat the extraterritorial trafficking in adolescents for forced labor. However a lack of resources allows trafficking of children to continue. The government cooperates with other governments to investigate and prosecute trafficking cases.

In March 2001, the government adopted into law stipulations of the Child and Adolescent Code that allow judges and other authorities of the Ministry of Justice to punish violations of children’s rights within the country. However, a set of fines and penalties has not been standardized for child labor violations. In 1996, the Vice-Ministry of Gender, Generational and Family Affairs created the Municipal Child and Adolescent Defense Offices, which offer a free public service to promote, protect and defend the rights of children and adolescents. As of June 2001, there were 150 offices functioning in 135 municipalities.


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401 Ibid.
403 U.S. Embassy- La Paz, unclassified telegram no. 3740.
404 Ministry of the Presidency, Cumbre Mundial de la Infancia: Evaluación de Metas, Vice Ministry of Governmental Coordination, Bureau of Coordination with the National Administration, La Paz, June 2001, 12.
405 Ibid., 5, Area No. 6: Educación y Desarrollo durante la Niñez Temprana.
Bosnia and Herzegovina

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Although there is no information indicating that the Government of Bosnia and Herzegovina has established its own programs on the worst forms of child labor, IOM and UNICEF, among others, have developed their own assistance and prevention programs. IOM, in cooperation with government authorities, the UN and NGOs, operates a project to protect and assist trafficking victims by providing them with transportation, housing and financial assistance. The project targets women and children working in the sex industry.\textsuperscript{407} In addition, UNICEF has been working with the Ministry of Health, Education and Social Welfare to implement a project providing access to essential services for vulnerable groups, which has as one of its goals to increase the enrollment and retention of Roma children in the education system.\textsuperscript{408}

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 17.7 percent of children ages 5 to 14 years in Bosnia and Herzegovina were working.\textsuperscript{409} Children occasionally assist their families with farm work and odd jobs, and Roma children beg on the streets.\textsuperscript{410} The prostitution and trafficking of girls for exploitative work remains a problem.\textsuperscript{411} Reports indicate that there are isolated cases of children

\textsuperscript{407} The majority of assistance projects within Bosnia and Herzegovina are carried out by international organizations and NGOs, with the government authorities playing minor roles. The IOM has assisted over 300 trafficked women and children. Approximately 10 percent were girls under the age of 18. See International Organization for Migration, \textit{Shelter and Return of Trafficked Girls and Women in BiH}, [online] 2002 [cited August 5, 2002]; available from http://www.iom.ba/Programs/OnGoing/trafficking.htm.


\textsuperscript{409} Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Less than 1 percent of children between ages 5 and 14 were paid for their employment, 6 percent of children participated in unpaid work for someone other than a family member, and 15 percent of children worked on the family farm or in the family business. See Government of Bosnia and Herzegovina, \textit{Multiple Indicator Cluster Survey 2 (MICS 2): Bosnia and Herzegovina}, UNICEF, [online] 2000 [cited November 5, 2001]; available from http://www.ucw-project.org/resources/index.html. See also Government of Bosnia and Herzegovina, \textit{Household Survey of Women and Children in Bosnia and Herzegovina 2000: A Multiple Indicator Cluster Survey: B&H MICS 2000}, UNICEF, [online] May 29, 2002 [cited October 2, 2002], 54; available from http://www.childinfo.org/MICS2/newreports/bosniaherzegovina/b&h.pdf.


\textsuperscript{411} The State Department reports that as many as 5,000 trafficked women may be working in the country. The average age of trafficked women is 22 years, ranging from age 13 to 36, with more than 12 percent of the women being minors. See Ibid., 1351-54, Section 6f.
as young as 13 and 14 years old from Eastern Europe and the former Soviet Union who are trafficked to Bosnia and Herzegovina and sold into prostitution.\textsuperscript{412}

Education is free and compulsory until age 15.\textsuperscript{413} The right to education is guaranteed by the Constitution, but specific laws on compulsory education requirements are established in the separate legislation of the country’s two political entities, the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS).\textsuperscript{414} In 1998, the gross primary enrollment rate was 103.6 percent, and the net primary enrollment rate was 97.4 percent.\textsuperscript{415} In 2000, the primary attendance rate was 94 percent.\textsuperscript{416} Access to education remains limited in war-affected areas, where one-third to one-half of schools have been destroyed.\textsuperscript{417} Tension among different ethnic communities and local policies favoring citizens in the ethnic majority also prevent minority children from attending school in these regions.\textsuperscript{418} However, in 2001, the Brcko District successfully integrated its elementary and high schools and developed a harmonized school curriculum.\textsuperscript{419}

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\textsuperscript{412}The majority of trafficked women and girls in Bosnia come from Moldova, Romania, and Ukraine, but they also arrive from Russia, Belarus, Kazakhstan, and Bulgaria. See Ibid. See also Emir Imamovic, “Bosnian Brothels Flourish,” Balkan Crisis Report, No. 201 (December 6, 2000). See also Alix Kroeger, “Vice Bars Raided in Bosnia,” BBC News, March 3, 2001.

\textsuperscript{413}U.S. Department of State, Country Reports- 2001: Bosnia and Herzegovina, 1347-51, Section 5. See also Constitution of Republika Srpska, Article 38, [cited August 6, 2002]; available from http://www.ohr.int/const/rs/default.asp?content_id=5908. See also Constitution of the Federation of Bosnia and Herzegovina, (May 8, 1997), Article 2(1)(m), [cited August 1, 2002]; available from http://www.ohr.int/const/bih-fed/default.asp?content_id=5907.

\textsuperscript{414}The Dayton Accords established two distinct entities within the Republic of Bosnia and Herzegovina: the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS). According to the Constitution of the Republic, the two entities are entitled to establish their own laws and government functions for matters not covered by the Constitution and provides that all provisions detailed in the national Constitution supersede those of the entities. Education is one area that remains highly decentralized in the country, as it is determined separately by the provisions of the RS Constitution and by the 10 canton units within the FBiH. Article 2(3)(i) of the Constitution of Bosnia and Herzegovina establishes the right to education for all persons, but compulsory education laws and curricula are established by the entities. Currently, the two entities have differing curricula, but an agreement has been reached to develop a common curriculum. See The General Framework Agreement: Annex 4: Constitution of Bosnia and Herzegovina, (December 14, 1995), [cited August 1, 2002]; available from http://www.ohr.int/dpa/default.asp?content_id=372. See UNICEF, UNICEF Consolidated Donor Report for Southeastern Europe: Bosnia and Herzegovina: January-December 2000, Area Office of the Balkans, March 2001, 59 [cited October 5, 2001]; available from http://www.unicef.org/balkans/donrep-seeur-2000.pdf.


\textsuperscript{416}Government of Bosnia and Herzegovina, Household Survey of Women and Children in Bosnia, 25.

\textsuperscript{417}UNICEF, UNICEF Consolidated Donor Report, 59.

\textsuperscript{418}U.S. Department of State, Country Reports- 2001: Bosnia and Herzegovina, 1347-51, Section 5.

\textsuperscript{419}Due to the strategic importance of the town of Brcko for both FBiH and the RS, the International Arbitration Commission declared Brcko to be a District of Bosnia and Herzegovina in March 1999. The District of Brcko has its own local government, which applies the laws of FBiH and the RS until adopting its own laws. The District of Brcko’s successful school integration and harmonized curriculum stands as a model to the two entities. See Ibid. See also Vlada Brcko Distritka Bosne i Hercegovine, [online] 2001 [cited August 1, 2002]; available from http://www.brckodistrict.org/w3b.exe/english/0.
Child Labor Laws and Enforcement

In both FBiH and RS, the Labor Law sets the minimum age for employment at 15 years, and minors between the ages of 15 to 18 must provide a valid health certificate in order to work. Also, in both entities, children are prohibited from performing hazardous and overtime work. Night work by minors is also banned, although temporary exemptions may be granted by the labor inspectorate in regards to machine breakdowns, the elimination of consequences of force majeur, and protection of the political entity. In FBiH, an employer found in violation of the above prohibitions must pay a fine ranging from 2,000 to 14,000 KM (USD 1,026 to 7,179). In the RS, fines range from 1,000 to 10,000 KM (USD 513 to 5,128) for hiring children under the age of 15 and requiring overtime work or hazardous work of a minor. The fines are raised to 2,000 to 15,000 KM (USD 1,026 to 7,692) for employers who allow underage workers to work at night.

There is no comprehensive law against trafficking in persons, but under the Criminal Codes of the two entities, procuring a juvenile or seeking opportunity for illicit sexual relations with a juvenile is specifically prohibited. There have been allegations of both local law enforcement and international police facilitation of the trafficking of women.


421 The Labour Law (FBiH), Articles 15, 32, and 51. See also The Labor Law (RS), Articles 14, 41, and 69.

422 The Labor Law of the BiH Federation refers to protections of the interests of the Federation, while the Labor Law of the RS refers to protection of the interests of the Republic. See The Labour Law (FBiH), Article 36. See also The Labor Law (RS), Article 46.

423 The Labour Law (FBiH), Article 140 as revised by Decree on Promulgation of the Law on Amendments to the Labour Law, No. 01-447/2000, (August 15, 2000), Article 49.

424 The Labor Law (RS), Article 150.

425 Ibid.

426 In FBiH, persons caught recruiting or luring juvenile females into prostitution face imprisonment between 1 and 10 years, while having sexual intercourse with a child under the age of 14 is punishable by imprisonment between six months and five years. The FBiH Criminal Code mandates between 6 months and 10 years imprisonment for those convicted of rape or forced sexual intercourse. In the RS, the punishment for persons convicted of rape or having sexual intercourse with a child is imprisonment for 3 to 15 years. Under the RS Criminal Code, an imprisonment term of 1 to 12 years is authorized for individuals who for profit compel or lure persons under the age of 21 into offering sexual services, including by threat or use of force or by abusing the situation originating from the persons’ stay in another country. In practice, traffickers are sentenced in Bosnia and Herzegovina usually to imprisonment for no more than six to eight months. See Criminal Code of the Federation of Bosnia and Herzegovina, (November 20, 1998), Articles 221, 22, 24, and 29 [cited August 5, 2002]; available from http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5130. See also Criminal Code of the Republika Srpska, (July 31, 2000), Articles 185 and 88 [cited August 5, 2002]; available from http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5129. See also U.S. Department of State, Country Reports- 2001: Bosnia and Herzegovina, 1351-54, Section 6f.

427 The Office of the UN High Commissioner for Human Rights documented the complicity of local police, international police, and the Stabilization Force in 14 out of 40 cases investigated between March 1999 to March 2000. In some cases, investigations were prevented by high level political involvement. Additionally, six police officers were suspended pending allegations that they gave warning of raids in exchange for the free sexual services. See U.S. Department of State, Country Reports- 2001: Bosnia and Herzegovina, 1351-54, Section 6f.
The Government of the Republic of Bosnia and Herzegovina ratified ILO Convention 138 on June 2, 1993, and ratified ILO Convention 182 on October 5, 2001.\textsuperscript{428}

Botswana

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Botswana has been implementing a 10-year National Program of Action for Children since 1997 that incorporates the seven major global goals identified at the 1990 U.N Summit for Children.\textsuperscript{429} The Labor Department of Botswana is planning to work in consultation with the Central Statistics Office, with technical assistance from ILO-IPEC, to conduct a national child labor survey to determine the extent and nature of child labor.\textsuperscript{430} Results from this survey will provide the basis for developing an action plan to implement ILO Convention 182.\textsuperscript{431}

In 2000, the Government of Botswana signed a USD 3.4 million funding agreement with UNICEF to improve the situation of children in the country. The money is being used to serve pregnant children and children in remote areas by providing more learning facilities.\textsuperscript{432} Additionally, UNICEF implements a girls’ education program in Botswana aimed at improving the primary school curriculum, supporting the formulation of an early childhood care and education policy, developing pregnancy prevention policies and programs, and improving the boarding school environment at schools where boys and girls enrollment is low.\textsuperscript{433}

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 14.4 percent of children ages 10 to 14 years in Botswana were working.\textsuperscript{434} In urban areas, increasing numbers of street children, many of them HIV/AIDS orphans, allegedly engage in begging and prostitution.\textsuperscript{435} In remote areas, young children reportedly work as cattle tenders, domestic servants and babysitters.\textsuperscript{436}

Primary education is free for seven years, but it is not compulsory.\textsuperscript{437} In 1998, the gross primary enrollment rate was 105.5 percent, and the net primary enrollment rate was 80.7 percent. Total net


\textsuperscript{431} Ibid.


\textsuperscript{436} Ibid., 43-44, Section 6d.

\textsuperscript{437} Ibid., 40-43, Section 5. See also U.S. Embassy- Gaborone, \textit{unclassified telegram no. 3277}. 74
and gross enrollment rates for girls and boys are relatively equal.⁴³⁸ Primary school attendance rates are unavailable for Botswana. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.⁴³⁹

**Child Labor Laws and Enforcement**

The minimum age for basic employment for children is 14 years, and 18 years for hazardous work.⁴⁴⁰ However, family members may employ children under the age of 14 in family businesses.⁴⁴¹ Adopted children are protected from being exploited as cheap labor or coerced into prostitution by several laws.⁴⁴² The Constitution does not prohibit forced or compulsory labor of children, although there are no reports that such practices occur.⁴⁴³ Child prostitution and pornography are criminal offenses, and penalties apply to violations involving children under the age of 16.⁴⁴⁴ The law provides for a 10-year minimum sentence for “defilement” of persons under 16.⁴⁴⁵

The Social Welfare Department under the Ministry of Local Government, Lands, and Housing is the government agency that oversees the protection and welfare of children.⁴⁴⁶ The Employment Act authorizes the Commissioner of Labor to investigate cases of child labor and to terminate unlawful employment of a child.⁴⁴⁷ Child labor laws are enforced by the child welfare divisions of the district and municipal councils.⁴⁴⁸ The highest penalty for unlawful child employment is imprisonment up to 12 months, a fine of 1500 Pula (USD 231), or a combination of both.⁴⁴⁹


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⁴³⁸ In 1998, the net primary enrollment rate for boys was 79 percent and 82 percent for girls. The gross secondary enrollment rate for boys was 73 percent and 80 percent for girls. World Bank, World Development Indicators 2002.

⁴³⁹ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

⁴⁴⁰ U.S. Embassy- Gaborone, unclassified telegram no. 3277.


⁴⁴² Ibid., 43-44, Section 6c, d.

⁴⁴³ Ibid., 43-44, Section 6c.

⁴⁴⁴ Ibid., 40-43, Section 5.

⁴⁴⁵ Ibid.

⁴⁴⁶ Ibid.

⁴⁴⁷ U.S. Embassy- Gaborone, unclassified telegram no. 3277.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Brazil became one of the six original countries to join ILO-IPEC. USDOL has funded four ILO-IPEC projects in Brazil. A program in the Vale dos Sinos area, funded in 1995, addressed child labor in the local shoe industry. A regional program, funded in 2000, was initiated in Brazil, Colombia, Paraguay, and Peru to combat the problem of child domestic workers. A third, also funded in 2000, addresses the commercial sexual exploitation of minors in two border cities between Brazil and Paraguay. The fourth USDOL-funded project, a collaboration between the Brazilian Institute of Geography and Statistics and ILO’s SIMPOC, has collected field data and is in the process of preparing the final report on a child labor survey as part of Brazil’s National Household Survey. In addition, ILO-IPEC, the MERCOSUR governments and the Government of Chile have developed a 2002–2004 regional plan to combat child labor.

The federal government administers numerous programs under different ministries and has formed various commissions to combat and address issues related to child labor in Brazil. These programs to eradicate child labor are listed in the Government of Brazil’s 2002-2003 multi-year plan. In September 2002, the Ministry of Labor and Employment (MTE) created the National Commission to Eradicate Child Labor (CONEATI), whose main goal is to implement ILO Conventions 138 and 182. The CONEATI will also work to increase coordination among federal programs.

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455 Among these is the Executive Group to Combat Forced Labor, the National Forum for the Eradication of Child Labor and the Protection of the Adolescent Worker, and the National Office of Coordination for Combating the Exploitation of Child and Adolescent Labor. State governments have also formed local commissions, such as the State of Rio de Janeiro’s Commission on the Prevention and Eradication of Child Labor. See Public Labor Ministry, Procuraduría General: Comissoes, [online] November 14, 2001 [cited September 13, 2002], 1; available from http://www.pgt.mpt.gov.br/comisssoes.html.

efforts to address child labor. In May 2000, the MTE established the Tripartite Commission, which produced a list of 81 activities in September 2001 defined as “worst forms” of child labor.

Each Brazilian state has a Special Group to Combat Child Labor and Protect the Adolescent Worker (GECTIPA), which is responsible for reporting upcoming local activities and their outcomes to the MTE. In some regions, councils defend the rights of children and adolescents at the federal, state, and municipal levels. The Federal Ministry of Welfare and Social Assistance (MPAS) has launched a program to create centers and networks to assist children and adolescents who are victims of sexual abuse and exploitation. Early in 2002, Brazil initiated a Global Program to Prevent and Combat Trafficking in Human Beings, which includes the targeting of victims who are trafficked for commercial sexual exploitation and forced labor. A Parliamentary Investigative Commission on Sexual Tourism began functioning in September 2001 in the state of Fortaleza.

457 U.S. Consulate- Sao Paulo, unclassified telegram no. 1394, October 23, 2002.
458 The Tripartite Commission is made up of members from the federal government, workers and employers organizations. Ministry of Labor and Employment, Trabalho Infantil no Brasil, 9.
459 Ibid. The list includes such activities as harvesting citrus fruits and cotton, driving tractors, performing civil construction, picking garbage, cutting sugar cane, selling alcohol, and working in bars, underground or with toxic chemicals. See also Ministry of Labor and Employment: Secretary of Labor Inspection, Anexo 1: Quadro descritivo dos locais e serviços considerados perigosos ou insalubres para menores de 18 anos, online, September 3, 2001, Portaria No. 20 [cited October 4, 2002]; available from http://www.mte.gov.br/Temas/TrabInfantil/default.asp.
460 Within the Ministry, the Secretariat of Labor Inspection uses the data from the GECTIPA reports to inform a periodic map of child and adolescent labor, which is then used to select locations and identify activities for future eradication of child labor programs. Ministry of Labor and Employment, Trabalho Infantil no Brasil, 2, 3.
462 As an urban partner to the Program on the Eradication of Child Labor (PETI) program, the Sentinela Program provides child/adolescent victims of commercial sexual exploitation with psychological, social and legal counseling and safer environments for victims. Centers work with a network of NGOs and public officials to guarantee the rights of child victims of abuse and of children working as prostitutes. The program also works with victims’ families to help raise incomes. See Mark Mittelhauser, Labor Attache at U.S. Consulate in Sao Paolo, Brazil, electronic communication to USDOL official, September 28, 2001. The program has 323 reference centers in capital cities, particularly in areas where commercial sexual exploitation and trafficking occur most frequently. See U.S. Consulate- Sao Paulo, unclassified telegram no. 1394.
The MPAS Program on the Eradication of Child Labor (PETI) gives stipends to families who remove children from work and keep them in school.\textsuperscript{465} In addition, PETI offers target children an after school program which includes school reinforcement, sports and art-related activities.\textsuperscript{466} By July 2002, PETI had provided services to approximately 800,000 children.\textsuperscript{467} In cooperation with the MTE, MPAS also has a program that provides skills training to adolescents between the ages of 15 and 17 for future employment and encourages them to become involved in the social development of their communities.\textsuperscript{468} The Ministry of Education (MEC) has developed \textit{Bolsa Escola}, a preventive counterpart to the PETI program, which provides mothers with a monetary stipend. In return, the mothers agree to ensure that their children maintain at least an 85 percent attendance rate in school.\textsuperscript{469} \textit{Bolsa Escola}, now providing stipends for over eight million children throughout Brazil, is the largest program of its kind in the world.\textsuperscript{470} The government has also designed special classes to address the problem of students who are forced to repeat grades,\textsuperscript{471} created a school lunch program which seeks to promote children’s attendance,\textsuperscript{472} and raised the average wage paid to teachers by 12.9 percent nationally and up to 49.2 percent in the Northeast region.\textsuperscript{473} These programs are partly supported through the new Fund to Combat Poverty.\textsuperscript{474}


\textsuperscript{467} U.S. Consulate- Sao Paulo, \textit{unclassified telegram no. 1394}.


\textsuperscript{469} Mittelhauser, electronic communication, September 28, 2001.

\textsuperscript{470} U.S. Consulate- Sao Paulo, \textit{unclassified telegram no. 1394}.


\textsuperscript{474} The \textit{Salário-Educação}, made into law in 1996, is a social contribution in the amount of 2.5 percent of the payroll of businesses and industries with more than one hundred employees. This contribution is deposited into the budget that supports public basic education. See U.S. Department of Labor, \textit{Needs Assessment for the Brazil Child Labor Education Initiative}, prepared by Dr. Flavia S. Ramos, pursuant to request by DOL, May 15 - July 5, 2002, 18, 20.
The World Bank provides assistance for seven projects in Brazil, including Projeto Nordeste and FUNDESCOLA, which aim to improve primary education mainly in the poorer region of the Northeast. The IDB is assisting the Ministry of Education with three projects that address shortcomings in secondary and higher education, especially in impoverished regions and among disadvantaged groups. In addition, the IDB approved a USD 500 million loan to Brazil in August 2002 to support country investment in monetary transfer payment programs for poor families in the areas of nutrition, primary school attendance, child labor prevention, and youth skills training. These projects make up part of the federal social service umbrella program, Projeto Alvorada, which attempts to integrate the various education, health, income and employment generation, and social development cash-grant projects financed by the federal government for states and municipalities with families living below the average Brazilian human development index.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 14.4 percent of children ages 10 to 14 years in Brazil were working. Of all males ages 5 to 14 years, 11.7 percent were working; of all females ages 5 to 14, 6 percent were working. Child labor occurs more frequently in northeastern Brazil than in

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480 World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002. In 1998, UNICEF estimated that 8.9 percent of children ages 5 to 14 in Brazil were working. Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Brazil, *Pesquisa Nacional por Amostra de Domicílios*, Understanding Children’s Work, [online] 1998 [cited October 1, 2002]; available from http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=135.

481 Government of Brazil, *Pesquisa Nacional*. 

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any other region and is particularly common in rural areas. Children work on commercial citrus, sugar cane, and sisal farms; in traditional sectors of the Brazilian economy, including the informal footwear, mining and charcoal industries; and as domestic servants and scavengers in garbage dumps. Children are involved in prostitution, pornography, and the trafficking of drugs, and are victims of internal trafficking networks that transport them to mining and construction sites and tourist areas for the purposes of prostitution. A 2002 report revealed that adolescent girls are being trafficked internationally with falsified documents for the purposes of prostitution. Children are also reported to serve as “soldiers” in drug gangs that control most of Rio de Janeiro’s shantytowns. Approximately 90 percent of working children are found in the informal sector, and nearly half receive no income.

Basic education (grades one through eight) is free and compulsory for children between the ages of 7 and 14. In 1998, the gross primary enrollment rate was 154.1 percent, and the net primary enrollment rate was 95.3 percent. Child labor contributes to the “age-to-grade” distortion of

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483 A plant that yields a stiff fiber used for cordage and rope.


486 A 2000 national survey on basic sanitation estimated that of 25,000 trash pickers nation-wide, 22 percent were younger than 14 years. “Brazil: Children Put to Work in Dump, Official Says,” *South Florida Sun-Sentinel*, July 14, 2002.


490 Protection Project, “Brazil.”


495 World Bank, *World Development Indicators 2002*. 
children in school, a widespread characteristic of the Brazilian education system.\textsuperscript{496} In 1998, 89.9 percent of children ages 5 to 14 were attending school.\textsuperscript{497}

**Child Labor Laws and Enforcement**

The minimum age for general employment was raised from 14 to 16 years and the minimum age for apprenticeships from 12 to 14 years after a 1998 Constitutional amendment.\textsuperscript{498} The 1990 Statute on Children and Adolescents (ECA) prohibits children under the age of 18 from working in unhealthy, dangerous and arduous conditions, at night, or for long hours that impede school attendance. It also prohibits children less than 18 years of age from carrying heavy loads and working in settings where their physical, moral or social being is at risk.\textsuperscript{499} Trafficking is also addressed in Brazilian laws. Under the Penal Code, it is illegal to hire workers with the intention of transporting them to another state or national territory.\textsuperscript{500} Brazil’s Federal Criminal Statute provides for prison terms and fines to anyone caught prostituting or trafficking another individual (domestically or internationally) or running a prostitution establishment, with increased penalties for involving adolescents ages 14 to 17 years in such activities.\textsuperscript{501} Located throughout the country, offices of the Centers for the Defense of Children and Adolescents are responsible for reporting violations of children’s rights.\textsuperscript{502}

The Ministry of Labor and Employment is responsible for training inspectors to determine child labor work site violations.\textsuperscript{503} In 2000, inspectors began to focus more on the informal sector although they were unable to enter private homes and farms where a large proportion of child labor is found.\textsuperscript{504} In the first eight months of 2002, an estimated 3,250 inspectors conducted more than 19,500 inspections involving cases in which workers were under the age of 18.\textsuperscript{505} Employers that

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\textsuperscript{496} “Age-to-grade distortion” refers to the number of children that are older than the average age that corresponds to a particular grade. For example, the average age for grade one is 7 years (but an example of age-to-grade distortion is a child of 9 years who is in grade one). U.S. Department of Labor, *Needs Assessment for the Brazil Child Labor Education Initiative*, 9.

\textsuperscript{497} Government of Brazil, *Pesquisa Nacional*.


\textsuperscript{499} Public Labor Ministry, *Erradicação do Trabalho Infantil*.

\textsuperscript{500} Violators can be fined and incarcerated for one to three years. The punishment increases if the victim is younger than age 18. See Public Labor Ministry, *Trabalho Escravo: O Ministério Público do Trabalho na Erradicação do Trabalho Forcado*, [online] [cited October 7, 2002]; available from http://www.pgt.mpt.gov.br/trabescravo/atuacao.html.

\textsuperscript{501} A prison term may be anywhere from 1 to 10 years for such offenses. See Government of Brazil, *Federal Criminal Statute*, Articles 227-231, [cited August 23, 2002]; available from http://209.190.246.239/protectionproject/StatutesPDF/Brazilf.pdf.

\textsuperscript{502} U.S. Department of State, *Country Reports- 2001: Brazil*, 2647-57, Section 6d.

\textsuperscript{503} U.S. Embassy- Rio de Janeiro, *unclassified telegram no. 1439*.

\textsuperscript{504} U.S. Department of State, *Country Reports- 2001: Brazil*, 2647-57, Section 6d.

\textsuperscript{505} U.S. Consulate- Sao Paulo, *unclassified telegram no. 1394*. 

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violates Brazil’s child labor laws are subject to monetary fines, but the initial levying of fines usually occurs only after several violations.\textsuperscript{506}

The Government of Brazil ratified ILO Convention 138 on June 28, 2001 and ILO Convention 182 on February 2, 2000.\textsuperscript{507}

\textsuperscript{506} Ibid.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bulgaria is an associated member of ILO-IPEC. In 2002, the Government of Bulgaria adopted a National Action Plan Against the Worst Forms of Child Labor, which aims to eliminate the worst forms of child labor by focusing on such issues as education and new legislation. In 2001, the government produced the Strategy and Action Plan on Protecting the Rights of Children in Bulgaria that focuses on promoting the welfare of children. The government’s Committee for Young People and Children was revitalized in the mid-1990s, and coordinates the action of government ministries to protect the rights of children. The Ministry of Labor and Social Policy has collaborated with NGOs to develop projects promoting education for vulnerable groups. In addition, the Ministry of Education, Science and Technologies has initiated programs to boost regular attendance rates, prevent dropouts among children, and build awareness of labor rights for children. Under an ILO-IPEC preparatory project, a sample survey on child labor in Bulgaria was completed in 2001.

International financial institutions and organizations are providing support to the Government of Bulgaria in regard to children’s issues. The World Bank funded a four-year education modernization project in the country in 2000 and a three-year child welfare reform project in

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514 ILO-IPEC, At a Glance: IPEC’s technical Cooperation Activities in Europe and Central Asia, (included in an email communication dated March 6, 2002) 1, 3.
UNICEF and ECPAT International sponsored a seminar on commercial sexual exploitation of children in Bulgaria in 2001. The International Organization on Migration (IOM) is engaged in a regional effort on the trafficking of women and children in the Balkans, including Bulgaria, to raise awareness, return and reintegrate the victims of trafficking, and build government capacity. IOM is also working with the Ministry of Education, Science and Technology to implement a public awareness campaign in the country’s schools on the trafficking of women and children.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 14 percent of children between ages 5 to 17 years in Bulgaria were working. Children engaging in paid work outside of the home work in the commercial and service sectors, forestry, transport and communications, industry, construction, and agriculture. Children also engage in unpaid work for family businesses or farms, and in their households. Children engage in heavy physical labor and are exposed to health hazards on tobacco farms. The prostitution of children often occurs through organized crime rings. According to the Ministry of the Interior, in 2001 there were a total of 340 reported under-age prostitutes, up by 23 percent relative to 2000. The police estimate that 10 percent of prostitutes are minors. Some

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518 Six percent of children (83,000) work for payment, 32 percent (418,000) work on the household farm, and 47 percent (611,000) work in the household. Of the children performing paid labor, 94.1 percent do not have a contract. See ILO-IPEC, *Problems of Child Labor in the Conditions of Transition in Bulgaria: Study project*, Sofia, 2000, 13, 31-32.


521 Many children working on tobacco farms are ethnic Turkish. See U.S. Department of State, *Country Reports- 2001: Bulgaria*, 1372-75, Section 6d.


523 U.S. Embassy- Sofia, unclassified telegram no. 2498.

girls working in the commercial sex industry are 12 and 13 years old.\textsuperscript{525} Trafficking in young girls for sexual exploitation is also a problem in Bulgaria. Girls as young as 14 years of age have been kidnapped and smuggled out of the country to destinations across Europe.\textsuperscript{526}

Education is compulsory up to the age of 16 under the National Education Act of 1991, with children typically starting school at the age of 6 or 7.\textsuperscript{527} In 1998, the gross primary enrollment rate was 101.0 percent, and the net primary enrollment rate was 93.4 percent.\textsuperscript{528} Roma children have particularly low attendance and high dropout rates.\textsuperscript{529} National primary school attendance rates are unavailable for Bulgaria. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{530}

\textbf{Child Labor Laws and Enforcement}

The Labor Code sets the minimum age for employment at 16 years. An exception to the Labor Code provides that children under 16 can work in government-approved jobs with the consent of a parent, however, children may not work in hazardous conditions until the age of 18 years.\textsuperscript{531} Children under 18 are required to work reduced hours and are prohibited from overtime and night work.\textsuperscript{532} The Family Code establishes legal protections for children working in family businesses.\textsuperscript{533} In 2000, the Child Protection Act was enacted, which prohibits the employment of children in begging and prostitution, among other potentially harmful acts.\textsuperscript{534} The Constitution prohibits forced labor,\textsuperscript{535} and the Penal Code forbids procuring women for prostitution, abducting a

\textsuperscript{525} ILO-IPEC, \textit{Problems of Child Labor}, 55.

\textsuperscript{526} Bulgaria is a source, transit, and destination country for human trafficking. No official statistics on trafficking of children are available. Bulgarian women and those in transit through the country are trafficked to Albania, Austria, Bosnia, Cyprus, the Czech Republic, Denmark, France, Kosovo, Germany, Italy, Greece, Macedonia, Poland, the Netherlands, South Africa, Spain, and Turkey. In addition, victims have been trafficked into Bulgaria from Georgia, Ukraine, Moldova, Romania, Russia, Lithuania, and Latvia. See U.S. Department of State, \textit{Trafficking in Persons Report: Bulgaria}, 33. See also U.S. Department of State, \textit{Country Reports- 2001: Bulgaria}, 1372-75, Section 6f.


\textsuperscript{529} The Roma are an ethnic minority in Bulgaria. ILO-IPEC, \textit{Problems of Child Labor}, 64. See also U.S. Embassy-Sofia, unclassified telegram no. 4519.

\textsuperscript{530} For a more detailed description on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{531} Children under age 16 may also be employed within the “sphere of culture,” including film, theater, or entertainment. Comprehensive Bulgarian legislation pertaining to child labor can be found in the Labor Code, Chapter 15, Section I, “Special Protection of Children,” Articles 301-305. See ILO-IPEC, \textit{Problems of Child Labor}, 59-60. See also UN Committee on the Rights of the Child, \textit{Initial Reports of States Parties: Bulgaria}.


\textsuperscript{533} ILO-IPEC, \textit{Problems of Child Labor}, 60.

\textsuperscript{534} Ibid., 59. See also Statement by Mrs. Lidia Shuleva at the United Nations Special Session on Children.

woman for the purposes of sexual exploitation, and depriving any individual of his or her liberty.\textsuperscript{536} As of 2002, the Penal Code also prohibits child prostitution and trafficking in children,\textsuperscript{537} but there are no specific laws governing or prohibiting child pornography.\textsuperscript{538}

The Ministry of Labor and Social Policy is responsible for enforcing child labor laws, and they are generally well enforced in the formal sector.\textsuperscript{539} There are reports, however, that low funding and other economic priorities hamper enforcement.\textsuperscript{540}

The Government of Bulgaria ratified ILO Convention 138 on April 23, 1980 and ILO Convention 182 on July 28, 2000.\textsuperscript{541}

\textsuperscript{536} Article 142a prohibits trafficking by criminalizing the illegal deprivation of liberty of a person and, in cases involving minors, establishes a penalty of jail for three to 10 years. Articles 155 and 156 prohibit the abduction or persuasion of a female for prostitution, and Article 188 sets specific penalties of up to six years imprisonment for those who compel a minor to engage in prostitution. See Government of Bulgaria, \textit{Penal Code}, [cited September 20, 2002]; available from http://www.protectionproject.org.

\textsuperscript{537} U.S. Embassy- Sofia, \textit{unclassified telegram no. 2498}.


\textsuperscript{539} U.S. Department of State, \textit{Country Reports- 2001: Bulgaria}, 1372-75, Section 6d.


Burkina Faso

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Burkina Faso developed a national plan of action on child labor and has been a member of ILO-IPEC since 1999. In a 2001 diplomatic note to foreign ministries, the government appealed to the international community to help eradicate child trafficking and reaffirmed its commitment to conventions guaranteeing children’s rights. Burkina Faso is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. The government and ILO-IPEC have also launched a national program to contribute to the elimination of the worst forms of child labor. In 2002, the government was preparing to implement a national child labor survey in Burkina Faso, with technical assistance from ILO-IPEC’s SIMPOC, to measure the nature and extent of child labor at the national level. In May 2001, the military held a workshop on children’s rights, and the government organized seminars for customs officers on how to detect and apprehend child traffickers. The government is also producing and distributing documentaries on child labor in the mining, apprenticeship, and domestic service sectors, and producing a television series on child labor.

In September 2002, the Government of Burkina Faso launched a 10-Year Basic Education Development Plan (2001-2010), which is projected to cost CFA 235 billion (USD 373 million). Eighty-two percent of the funding for the education plan will be allocated to improve primary

542 The national plan of action and sector specific plans of action were based upon studies conducted from November 1997 to May 1998, on child labor in gold washing, agriculture and animal husbandry, girls working in urban environments and child apprenticeship in hazardous industries. Ambassador Tertius Zongo, La Lutte Contre le Travail des Enfants au Burkina Faso, public comment submitted to the U.S. Department of Labor, Washington, D.C., September 2002, 8.


545 The regional child trafficking project now covers Benin, Burkina Faso, Cameroon, Côte d’Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. See ILO-IPEC, Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (Phase II), project document, RAF/01/P53/USA, Geneva, July 2001, 1.


547 ILO-IPEC official, electronic communication to USDOL official, August 28, 2002.

548 U.S. Embassy- Ouagadougou, unclassified telegram no. 1505.

549 Ibid. See also Ambassador Tertius Zongo, public comment, September 2002, 9.

school level education, primarily in rural areas. Between the years 1990 and 2000, the government increased the portion of the education budget dedicated to basic education and invested in the construction of additional school facilities. UNICEF has worked with the government to fund programs such as the building of satellite schools and non-formal basic education centers, promoting community participation in schooling, producing textbooks, and building the capacity of the education system.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 43.5 percent of children ages 10 to 14 years in Burkina Faso were working. In Burkina Faso, most working children are found in agriculture, gold washing and mining, and informal sector activities including domestic service. Burkina Faso is a source, transit, and destination country for trafficked children. Children trafficked into Bobo-Dioulasso and Ouagadougou to work as domestic servants, street vendors, in agriculture, and in prostitution. An ILO study estimated that more than 81,000 children in Burkina Faso’s two largest cities, Bobo-Dioulasso and Ouagadougou, have been “placed” in work situations by an intermediary. The HIV/AIDS epidemic has orphaned numerous children, thereby increasing the population of street children, an at-risk group for child labor.

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551 Ibid. For currency conversion see FX Converter, [online] [cited November 13, 2002]; available from http://www.carosta.de/frames/convert.htm.


555 Ambassador Tertius Zongo, public comment, September 2002, 7. Children start working in the mining sector in Burkina Faso as part of households, at the age of 6. In one mining town in northern Burkina Faso half the residents were under 15 and most of them worked in mines. Under government regulations, children should be over the age of 19 before they work underground in mines. In reality some children are barely teenagers before they begin such work. Accidents are frequent as is collapse due to the crowding of people digging in mineshafts. Ambassador Tertius Zongo, public comment, September 2002.


In 1996, the Education Act made schooling compulsory from age 6 to 16.\(^{560}\) In 1998, the gross primary enrollment rate was 42.3 percent, and the net primary enrollment rate was 33.9 percent.\(^ {561}\) School enrollment is lower among children in rural areas, and particularly among girls.\(^ {562}\) In 1992/3, the gross primary school attendance rate was 39.8 percent while the net primary school attendance rate was 31.1 percent.\(^ {563}\) Attendance rates also reflected the gender disparity in access to education; in 1992-1993, the gross attendance rate for boys was 47 percent and 32.5 percent for girls.\(^ {564}\) The net attendance rate was 36.2 percent for boys and 26 percent for girls.\(^ {565}\) In principle, the government bears the cost of primary and secondary education, but communities are frequently responsible for constructing primary school buildings and teachers’ housing. Even when schools are present, many families cannot afford school fees.\(^ {566}\)

### Child Labor Laws and Enforcement

The Labor Code sets the minimum age of employment in Burkina Faso at 14 years, but children who are 12 or 13 years old may perform light work for up to four and a half hours per day in the domestic and agricultural sectors; other light work is permitted for children under the age of 12.\(^ {567}\) Therefore according to the law, children may start working fulltime at age 14, but are required to remain in school until the age of 16.\(^ {568}\) Slavery and like practices, cruelty toward children, and the degradation of human beings are forbidden by the Labor Code (Article 2).\(^ {569}\) While trafficking is not specifically forbidden, a number of laws may be used to prosecute traffickers.\(^ {570}\) The Penal Code forbids direct and indirect involvement in the prostitution of persons, and explicitly proscribes

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\(^{561}\) World Bank, *World Development Indicators 2002*.


\(^{564}\) USAID, *Global Education Database 2000*.

\(^{565}\) Ibid.

\(^{566}\) U.S. Embassy- Ouagadougou, *unclassified telegram no. 1505*.

\(^{567}\) Ibid. See also Diedi Dembele, U.S. Department of State, electronic communication to USDOL official, December 5, 2001.

\(^{568}\) U.S. Embassy- Ouagadougou, *unclassified telegram no. 1505*.

\(^{569}\) UN Committee on the Rights of the Child, *Initial Reports of State Parties: Burkina Faso*, para. 455.

the prostitution of persons less than 18 years of age.\textsuperscript{571} Contributing to the corruption or debauchery of a minor is also illegal.\textsuperscript{572} Penalties specified for these crimes apply even if the offences are committed in different countries.\textsuperscript{573}

The Ministry of Social Affairs and the Directorate of Labor, Health, and Security, Child Labor and Trafficking Division at the Ministry of Labor enforce child labor laws.\textsuperscript{574} The Ministry of Labor has few inspectors to enforce labor laws, and the government has minimal resources to conduct child labor investigations.\textsuperscript{575} In 1997, the government conducted an investigation targeting the employers of 2,000 children in the agriculture, mining, and domestic sectors, and in 2001, the government prosecuted a foreign national accused of trafficking children in Burkina Faso.\textsuperscript{576}

The Government of Burkina Faso ratified ILO Convention 138 on February 11, 1999 and ILO Convention 182 on July 25, 2001.\textsuperscript{577}

\textsuperscript{571} Indirect or direct involvement is meant to describe the action of a person who does any of the following: “knowingly aids, assists, or protects the prostitution of others of the solicitation for the purposes of prostitution; shares, in any manner whatsoever, in the profits, or receives subsidies from [the prostitution of others]; knowingly lives with a person regularly engaged in prostitution; engages, entices, or supports a person for the purpose of engaging in prostitution or debauchery, or delivers a person into prostitution or debauchery; or serves as an intermediary . . .between persons engaging in prostitution or debauchery and individuals who exploit or remunerate the prostitution or debauchery of others.” See Government of Burkina Faso, \textit{Criminal Code}, Articles 334 and 34-1 [cited October 13, 2002]; available from www.protectionproject.org.

\textsuperscript{572} Article 334-1 of the Burkina Faso Criminal Code makes illegal the \textit{regular} contribution to the corruption of a juvenile under age 21 and the \textit{occasional} contribution to the corruption of a juvenile under age 16. Ibid., Article 334-1.

\textsuperscript{573} Ibid.

\textsuperscript{574} Penalties for child labor law violations include 3-month to 5-year prison sentences and fines ranging from CFAF Franc-BCEAO 5,000 to 600,000 (USD 8 to USD 902). See U.S. Embassy- Ouagadougou, \textit{unclassified telegram no. 1505}. For currency conversion see FX Converter, available from http://www.carosta.de/frames/convert.htm, [cited October 12, 2002].

\textsuperscript{575} U.S. Embassy- Ouagadougou, \textit{unclassified telegram no. 1505}.

\textsuperscript{576} No child labor investigation or inspection has resulted in convictions or the imposition of fines, with the exception of efforts made to prosecute child traffickers. In May 2001, the governments of Burkina Faso and Cote D’Ivoire worked together to repatriate 104 children from Cote D’Ivoire. In June 2001, 10 children from Niger, ages 6 to 15, were intercepted by Burkinabe police in Dori. Also in 2001, police arrested and prosecuted a Ghanaian national for child trafficking. See U.S. Embassy- Ouagadougou, \textit{unclassified telegram 1153}. See also U.S. Embassy- Ouagadougou, \textit{unclassified telegram no. 1505}.

Burundi

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Burundi is an associated country of ILO-IPEC. In 1992, the government established the National Plan of Action for the Survival, Development and Protection of Rights of Children. Among the goals to be achieved by 2000, the National Plan sought to universalize education for children between 7 and 12 years of age, increase the net enrollment rate from 52 to 80 percent, reintegrate street children into the school system, and improve child protection services. In 2000, the government’s Institute of Statistics and Economic Studies of Burundi and UNICEF published a national evaluative survey on the Living Conditions of the Children and Women in Burundi, which included assessments of education and child labor.

The UN High Commissioner for Refugees has had projects in Burundi that reunite children with their parents, educate returnees, and provide education alternatives for adolescents. In 2001 a four-year, USDOL-funded ILO-IPEC regional program designed to prevent the involvement of children in armed conflicts in Central Africa was initiated in Burundi. The Ministry of Labor has provided strong support for these ongoing activities. UNICEF signed a Memorandum of Understanding (MOU) with the Government of Burundi in October 2001 with the goal of developing a program to address the problem of child soldiers by engaging both the Burundian army and the rebels.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 32.2 percent of children ages 5 to 14 years in Burundi were working. Approximately 79 percent of those children were active in domestic activities, such as

580 Ibid., 2, 5 and 12.
582 Ibid.
585 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. UNICEF-Burundi, Enquete Nationale d’Evaluation des Conditions de vie de l’Enfant et de la Femme au Burundi, final report, Burundi Institute of Statistics and Economic Studies, March 2001, 39 [cited January 2, 2002]; available from http://www.childinfo.org/MICS2/newreports/burundi/burundi.pdf.
tending to the sick, carrying water, and caring for children. Slightly more than 2 percent of the children worked more than four hours per day. Children work as soldiers in Burundi. The most vulnerable elements of society, such as street children, are at high risk of exploitation by armed groups.

Primary education in Burundi is compulsory for six years. In 1998, the gross primary enrollment rate was 51 percent (45.8 percent for girls and 56.2 percent for boys), and the net primary enrollment rate was 37.7 percent (34.3 percent for girls and 41.1 percent for boys). Only 47 percent of school-age children regularly attend primary school (43.7 percent for girls and 50.5 percent for boys). Enrollment and attendance have been adversely affected by the military conflict. In some high conflict areas many parents have been disinclined to send their children to school, and increasing numbers of teachers have refused to take the risks involved in traveling to work.

**Child Labor Law and Enforcement**

The minimum age for employment is 16 years, except in cases of light, non-hazardous work or apprenticeships, provided that the work is not dangerous to the health of the child and does not interfere with their normal childhood development or education. The Labor Code amendment of 1993 calls for the inspection of work places in order to protect the health and welfare of children and adolescents. Upon a first offence, violators may face a fine between 5,000 and 10,000 Burundi Francs (USD 6-12) and repeat offenders face fines ranging from 10,000 to 20,000 francs (USD 13-24). Reliable information on enforcement of child labor laws is not available.
The Government of Burundi ratified ILO Convention 138 on July 19, 2000 and Convention 182 on June 11, 2002.\textsuperscript{597}

Cambodia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Cambodia has been a member of ILO-IPEC since 1997. The government has adopted national action plans on the protection of vulnerable children and on combating the trafficking and sexual exploitation of children. The National Institute of Statistics (NIS), with technical assistance from ILO-IPEC’s SIMPOC, included a module of questions on child labor in its 1996 and 1999 socioeconomic surveys, and a survey exclusively on child labor was conducted in 2001 with sponsorship from ILO-IPEC.

The Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation (MOSALVY) authorized the establishment of a Sub-Committee on Combating Trafficking and Sexual Exploitation of Children in December 2000, and the government created a “Child Safe Tourism Commission” that trains relevant officials and employers to prevent the sexual exploitation of children. The Ministry of the Interior (MOI) established a special anti-trafficking unit to train police on investigative techniques and victim rights and to facilitate court proceedings. A joint project with the MOI, UNICEF, IOM, World Vision International, the United Nations Cambodia Office of the High Commission for Human Rights, and Redd Barna developed training materials and procedures for ongoing MOI police training to combat sexual exploitation and established a hotline to report crimes. MOSALVY works with UNICEF and IOM to return trafficked children to their homes. ILO-IPEC is implementing an anti-trafficking project with funding from the United Kingdom’s Department for International Development, and UNICEF has


607 The project focuses on the trafficking of women and children. See ILO, ILO Mekong Sub-Regional Project to Combat Trafficking in Children and Women, pamphlet, Bangkok.
established a Community-Based Child Protection Network that teaches children and community members about the hazards of trafficking, and trains individuals to identify potential victims and take action to protect them.\footnote{Villages in the network also establish “village social funds” that provide vulnerable children with funds to attend school. UNICEF, \textit{Profiting from Abuse: An Investigation into the Sexual Exploitation of Our Children}, New York, 2001, 24, 26.}

The Government of Cambodia, with support from ILO-IPEC, conducts training on child labor for labor inspectors and awareness-raising programs through radio broadcasts.\footnote{U.S. Embassy- Phnom Penh, \textit{unclassified telegram no. 1719}.} In 2001, USDOL funded an ILO-IPEC project in Cambodia to eliminate hazardous child labor in salt production, commercial rubber plantations, and the fish and shrimp-processing sector.\footnote{ILO-IPEC, \textit{Combating Child Labor in Hazardous Work in Salt Production, Rubber Plantations, and Fish/Shrimp Processing Centers in Cambodia}, project document, CMB/01/P51/USA, Geneva, 2001.}

The government published its Education Strategic Plan 2001-2005 in May 2001, establishing priorities to expand access to quality education opportunities, and to increase the institutional capacity of local schools and communities for involvement in educational decision-making.\footnote{Royal Government of Cambodia’s Ministry of Education, Youth, and Sport, \textit{Education Strategic Plan 2001-2005}, Phnom Penh, May 2001, Foreword, 2.} In 1999, the Ministry of Education, Youth and Sport (MOEYS) set a goal for 75 percent of all primary schools to have a complete range of classes through grade six by 2004.\footnote{Department of Planning, \textit{Education in Cambodia}, Ministry of Education, Youth and Sport, Phnom Penh, July 1999, 14.} Currently, only 52 percent of public primary schools meet that target.\footnote{Save the Children UK, \textit{Cambodia 2002}, [online] [cited November 12, 2002]; available from http://www.savethechildren.org.uk/functions/index_search.html.} MOEYS began a Priority Action Program (PAP) in ten provincial towns in 1999, charging no school fees and providing books on loan.\footnote{Students must still provide materials such as paper and pens. Director of Non-Formal Education, interview with USDOL official, October 17, 2000.} Additional funds have been allocated to PAP programming, and the PAP target area has since expanded nationwide to include lower secondary schools, and also to support monitoring activities and remedial classes for grades 1-6.\footnote{Delays in releasing PAP funds have been a problem. See Ministry of Education, Youth, and Sport, \textit{ESSP Review 2002: Education Sector Performance Report}, Phnom Penh, August 2002, 25-26.}

In addition, MOEYS abolished start-of-year entry fees at the primary level in 2001, which reportedly led to a large increase in gross and net enrollment rates.\footnote{Ibid., 7.} A Non-Formal Education Department within MOEYS focuses on delivering tailored education services to meet the needs of people of all ages, including working children.\footnote{Director of Non-Formal Education, interview, October 17, 2000.}
The government works with various donors and NGOs on education issues, focusing on improving the quality of education and access to primary school. ILO-IPEC assisted the government to create a non-formal education program for former child workers. The Asian Development Bank (ADB) is assisting the government in developing a comprehensive, long-term strategy for education development, and is supporting MOEYS’ efforts to increase equitable access to education, improve the efficiency of the system, facilitate management and fiscal decentralization, and construct schools in underserved areas. Additionally, the World Bank is facilitating MOEYS’ development of a participatory approach to improving school quality and performance through the effective management of available resources. The World Bank also provided assistance for the construction of schools in rural areas in 1999. The Australian Government is assisting the Government of Cambodia to develop an effective school examination system. A new ADB project focuses on educational assistance to girls and indigenous populations by raising awareness among stakeholders and promoting the development of scholarship programs for lower secondary schooling.

Incidence and Nature of Child Labor

In 1999, the NIS estimated that 9.8 percent of children ages 5 to 14 years in Cambodia were working. The vast majority of working children in Cambodia are engaged in the agriculture,
forestry and fishing sectors. More children work in rural areas than in urban areas. Children also work in hazardous conditions in brick factories and on commercial rubber farms; in construction and salt production; and as stonecutters, fish processors, porters, street vendors, and garbage pickers. Street children engage in begging, shoe polishing and other income-generating activities. Children, primarily girls, also work as domestic servants.

A 2000 report indicated that some children are held in debt bondage as commercial sex workers until they work off loans provided to their parents. Cambodia is reported to be a country of origin, transit and destination for trafficking in persons for the purposes of prostitution and various forms of work, including bonded labor and begging. Children are trafficked internationally, mostly to Thailand, for the purposes of commercial sexual exploitation or bonded labor. Most victims trafficked into Cambodia come from Vietnam. Internal trafficking of children also occurs.

The Constitution provides for nine years of free schooling to all citizens, but education is not compulsory. In 1998, the gross primary enrollment rate was 89.7 percent. The net primary enrollment rate was 78.3 percent, with 74 percent of girls enrolled as opposed to 82.4 percent of


629 UNDP and NORAD, Cambodia Human Development Report, 39.

630 Ibid., 41. Most of these children are girls ages 12 to 15 from remote provinces. Many have never attended school. See Un Chanvirak and Chea Pyden, “Child Labor in Cambodia,” Fifth Regional Consultation of Child Workers of Asia on the Asian Economic Crisis, [cited July 29, 2002]; available from http://www.cwa.tnet.co.th/booklet/cambodia.htm.

631 UNDP and NORAD, Cambodia Human Development Report, 37.

632 U.S. Department of State, Trafficking in Persons Report: Cambodia, 36. See also UNDP and NORAD, Cambodia Human Development Report, 38. Illegal adoptions, sometimes involving the trafficking of babies, are a problem – in 2001, seven people were arrested and charged under the Trafficking Law for such activities. See U.S. Department of State, Country Reports- 2001: Cambodia, 840-41, Section 5.

633 Director of Non-Formal Education, interview, October 17, 2000. A 1999 MOEYS report noted that only half of Cambodia’s primary schools provide a full six years of instruction and 28 districts are without a lower secondary school. Many children, especially girls, do not have access to secondary schools. See Department of Planning, Education in Cambodia, 14.
boys. Education is often inaccessible to minority groups, as classes are conducted only in the Khmer language. Promotion rates to the second grade for children in minority regions are significantly lower than the national average.

Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 15 years, though children between the ages of 12 and 15 are permitted to do light work that is not hazardous and that does not affect regular school attendance or participation in other training programs. Under Article 368, employers who violate the law may be fined 31 to 60 days of the base daily wage. The Labor Law prohibits work that is hazardous to the mental and physical development of people under the age of 18, but the law does not define what types of work are considered hazardous. Lists of working children below the age of 18 must be kept by employers and submitted to the labor inspector, and unemancipated children must have the consent of a parent or guardian in order to work. However, the Labor Law applies only to the formal sector.

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635 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

636 Hammarberg, Situation of Human Rights in Cambodia, point 108. MOEYS plans to develop additional strategies in 2003 to address the lack of quality education opportunities in these areas. See Ministry of Education, Youth, and Sport, ESSP Review 2002, 21-22.


639 This legal term is used to refer to children under the control of a parent or guardian. See Cambodian Labor Law, Article 181.

640 Ibid., 179, 81.

641 U.S. Embassy-Pnom Penh, unclassified telegram no. 1973. Article One of the Labor Law states that it applies to every enterprise or establishment of industry, mining, commerce, crafts, agriculture, services, and land or water transportation. It states that it does not apply to domestics or household servants, unless otherwise expressly specified elsewhere in the law. See Cambodian Labor Law.
Article 15 of the Labor Law prohibits all forced labor, including in agriculture and domestic work.642 The Constitution prohibits prostitution and the trafficking of women,643 and the 1996 Law on the Suppression of Kidnapping and Sale of Human Beings outlaws trafficking. Brothel owners, operators, and individuals who prostitute others are all subject to the 1996 law’s penalties of prison terms between 10 to 20 years, depending on the age of the victim.644

MOSALVY is responsible for enforcing compliance with child labor laws.645 Since 2000, questions on child labor have been incorporated into routine labor inspections.646 However, the number of labor inspectors outside of Phnom Penh is limited, with no more than four labor inspectors per province.647 Although some traffickers have been arrested and prosecuted, enforcement of anti-trafficking laws is reportedly weak due to official corruption, inadequate police training, and insufficient resources.648

The Government of Cambodia ratified ILO Convention 138 on August 23, 1999, but has not ratified ILO Convention 182.649
Cameroon

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

Cameroon is an associated country of ILO-IPEC. In 2001, the Government of Cameroon began collaborating with ILO-IPEC to participate in a USDOL-funded regional project to combat the trafficking of children in West and Central Africa. The government has also developed a national action plan to combat child labor. This plan focuses on community awareness raising and mobilization; developing and reinforcing the welfare and protection of working children; promoting both formal and informal education and apprenticeships; improving and strengthening child labor legislation; identifying partners for action, and establishing mechanisms for coordination, monitoring and evaluation. In that regard, the Government of Cameroon has established inter-ministerial programs to address child labor, notably those concerning the trafficking of children.

The government has worked with UNESCO on the development of an Education for All Plan and a number of educational reforms are envisioned for the period 2000-2009, which include increasing the supply and quality of, and access to, basic education; improving the management capacity of education administrators; improving data collection and analysis; and mobilizing resources for basic education.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 23.7 percent of children ages 10 to 14 years in Cameroon were working. According to a study conducted in 2000 by the ILO, the Ministry of Labor, and NGOs, children in Cameroon work in the agricultural sector, in informal activities such as street vending and car washing, as domestic servants, and in prostitution and other illicit activities. It was also

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653 Ibid., 4.


found that 7 percent of working children in the cities of Yaounde, Douala and Bamenda were less than 12 years of age, and 60 percent of these had dropped out of primary school. Some child sex tourism has been reported in Douala. Some street children reportedly work to earn school money during school vacation. Certain forms of child labor are reported to be culturally accepted traditions in the North and Southwest.

Cameroon is a source, transit and destination country for the trafficking of children. A 2000 ILO study conducted in Yaounde, Douala and Bamenda indicated that trafficking accounted for 84 percent of an estimated 610,000 child laborers. Children from Cameroon are trafficked internally from rural areas of the country to urban areas and externally to other countries in West Africa. Children are trafficked to Cameroon primarily from Nigeria, Benin, Niger, Chad, Congo, Central African Republic, Togo and Mali. According to the ILO, children who have been trafficked within or into Cameroon are employed most often as domestic workers, street traders, farm laborers, waiters in cafes and bars, prostitutes, manual workers, and night guards. Trafficking is a lucrative business and it is reported that one government official attempting to address the issue received threats from traffickers and required police protection. Cameroon has no place to shelter child victims of trafficking although the government is working with local and international NGOs to provide temporary shelter and assistance.

Education is free in elementary school and is compulsory through the age of 14. In February 2000, the President of Cameroon announced the elimination of school matriculation fees for public primary schools and the National Assembly passed a budget bill increasing by 49 percent the

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657 The study found that 19.8 percent of children are working in agriculture and the informal sector, 3.4 percent are in car wash businesses, 31 percent work as domestic servants for their relatives, and 7 percent work in prostitution or other illicit activities. See U.S. Embassy- Yaounde, unclassified telegram no. 3239, October 2001.


659 Foyer l’Esperance staff, interviews with USDOL official, August 4, 2002. See also Catholic Relief Services staff, interviews with USDOL official, August 6, 2002.

660 Feyio, interview with USDOL official, August 2002.

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Education is free in elementary school and is compulsory through the age of 14. In February 2000, the President of Cameroon announced the elimination of school matriculation fees for public primary schools and the National Assembly passed a budget bill increasing by 49 percent the
spending on national education. Nevertheless, reports indicate that some school principals have been requiring bribes to enroll children in school and the families of primary school children must pay for uniforms and book fees. Tuition and fees at the secondary school level remain unaffordable for many families.

The gross primary enrollment rate has steadily declined during the last decade, from 101.1 percent in 1990 to a low 85.4 in 1996, and rising again to reach 90.3 percent by 1998. Primary school attendance rates are unavailable for Cameroon. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Although the Constitution of Cameroon guarantees a child’s right to education, girls suffer discrimination in their access to schooling and have lower attendance rates than boys. In 2001, the UN Committee on the Rights of the Child indicated a number of problems with the educational system in Cameroon, including rural/urban and regional disparities in school attendance, limited access to formal and vocational education for children with disabilities, children falling behind in their primary education, a high drop-out rate in primary education, lack of primary school teachers, and a high degree of violence and sexual abuse against children in schools. Domestic workers are also often not permitted to attend school.

Child Labor Laws and Enforcement

The Labor Code and the Ministerial Order on Labor set the minimum age for employment at 14 years. The Ministerial Order prohibits youths between the ages of 14 to 18 from engaging in

670 Ibid.
671 U.S. Embassy- Yaounde, unclassified telegram no. 3239.
673 Ibid.
674 World Bank, World Development Indicators 2002.
675 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
677 In 1991, the net attendance rate for girls attending primary school was 61.7 percent and for boys was 70.3 percent. See USAID, Global Education Database 2000, [database online], [cited December 16, 2002]; available from http://www.usaid.gov/educ_training/ged.html. See also U.S. Department of State, Country Reports- 2001: Cameroon, 93-96, Section 5.
679 Catholic Relief Services staff, interviews, August 6, 2002.
680 Government of Cameroon, Labour Code (Law no. 92/007), (August 14, 1992), Part V, Ch. III, Section 86 [cited December 31, 2002]; available from http://natlex.ilo.org/txt/E92CMR01.htm. The penalty for infringing the law ranges from fines to imprisonment. The law also prohibits night work and identifies the tasks that cannot be performed by children between the ages of 14 and 18. Children cannot work before 6 a.m. or after midnight. See U.S. Department of State, Country Reports- 2001: Cameroon, 97-99, Section 6d.
certain work, including moving heavy weights, working in dangerous and unhealthy tasks, working in confined areas, or engaging in tasks that can harm a youth’s morality. The Labor Code also specifies that children cannot continue working in any job that exceeds their physical capacity. Labor law also requires that employers train children between 14 and 18, and the work contracts must contain a training provision for minors. Under the Labor Code, the Labor Inspectorate can require children to be examined by a medical professional to make sure their work does not exceed their physical capacity. Children can also request this examination themselves.

The Labor Code prohibits forced labor but does not specifically address child labor. The Penal Code prohibits a person from imposing a work or service obligation on another person for which that person has not freely applied and is punished by imprisonment of 5 to 10 years and/or a fine. The Penal Code prohibits slavery and engaging in the trafficking of human beings and punishes these acts with prison terms of 10-20 years, and prohibits procuring, as well as prostitution or sharing in the profits from another person’s prostitution. The penalty includes fines and prison sentence of up to five years which double if the crime involves a minor less than 21 years of age. Prostitution is prohibited under the Penal Code.

The Ministry of Social Affairs and the Ministry of Labor enforce child labor laws through site inspections of registered businesses. However, a lack of resources hinders the effective enforcement of child labor laws. There are only 49 labor inspectors in Cameroon who focus on the formal sector and labor inspectors are neither trained in nor sensitized about child labor issues.


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682 *Cameroon Labor Code*, Part V, Ch. III, Section 86.
685 Ibid., Part I, Section 2. The ILO will soon be conducting a study on forced labor. See ILO staff, interview with USDOL official, August 5, 2002.
687 Ibid., Article 292.
688 Ibid.
689 Ibid.
690 Ibid.
692 Awona, interview, August 4, 2002.
Cape Verde

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Cape Verde has harmonized its Constitution and national legislation with international agreements on the rights of children; however, legislation regarding underage workers remains inadequate. The government’s education reform plan, developed for years 1993 to 2000, contained strategies for improving the curriculum, training teachers and extending compulsory basic education. In July 2001, Cape Verde signed an MOU with the sponsors of Education for All. Under the MOU, the sponsors and the government will prepare a National Plan of Action for Education for All, in order to coordinate efforts to ensure that access to a quality education for all is achieved between the years 2001 and 2015. The Ministry of Education and the World Food Program have agreed to renew collaboration through 2005 on efforts that support primary school feeding programs on the island. UNICEF and the Government of Cape Verde have also launched a variety of initiatives to improve access to schooling, particularly for girls, including programs that provide educational materials, improve the quality of education, and address gender bias.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 13.6 percent of children ages 10 to 14 years in Cape Verde were working. A study of child labor in Cape Verde in 1995 found that children in urban areas are engaged in carpentry, metallurgy, in mechanic shops and on the streets. Street children in Cape

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697 Ibid.


Verde wash cars, haul cargo, distribute newspapers, and work in organized drug peddling gangs.\textsuperscript{701} Juvenile prostitution is believed to be a problem in Cape Verde.\textsuperscript{702} In 2000, press reports indicated that the police made some arrests of traffickers and victims, but information on the extent of trafficking to and from the country is unavailable, and there are no reports supporting or denying that children were involved.\textsuperscript{703}

In 1994, the Government of Cape Verde made education compulsory until the age of 16 years.\textsuperscript{704} Education is free for six years of primary school.\textsuperscript{705} In 1998, the gross primary enrollment rate was 144.4 percent, and the net primary enrollment rate was 99 percent.\textsuperscript{706} Primary school attendance rates are unavailable for Cape Verde. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{707} A 1999 report by the World Bank noted that while most children have access to education, some problems remain. For example, many students and some teachers speak Creole at home and have a poor command of Portuguese (the language of instruction); insufficient funds are spent on school materials, lunches and books; and there is a high repetition rate for certain grades.\textsuperscript{708}

**Child Labor Laws and Enforcement**

The Labor Law sets the minimum age for employment at 14 years, and prohibits children under the age of 16 from working at night or in enterprises that produce toxic products.\textsuperscript{709} Children between the ages of 14 and 18 may not work more than 38 hours per week or more than 7 hours per day, except where special permission is granted, and can only work with the consent of their parents.\textsuperscript{710}

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\textsuperscript{701} Government of Cape Verde, *Cape Verde National Report on Follow Up to the World Summit for Children*, para. 73-74.


\textsuperscript{703} U.S. Department of State, *Country Reports- 2001: Cape Verde*, 104-05, Section 6f.

\textsuperscript{704} Government of Cape Verde, *Cape Verde National Report on Follow Up to the World Summit for Children*, para. 67.

\textsuperscript{705} Secondary education is free only for children whose families have an annual income below approximately 160,000 escudos (USD 1,421). See U.S. Department of State, *Country Reports- 2001: Cape Verde*, 103-04, Section 5. For currency conversion see FX Converter, [online] [cited October 9, 2002]; available from http://www.carosta.de/frames/convert.htm.

\textsuperscript{706} World Bank, *World Development Indicators 2002*.

\textsuperscript{707} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{709} Embassy of the Republic of Cape Verde, letter to USDOL official, October 26, 2001. See also U.S. Department of State, *Country Reports- 2001: Cape Verde*, 104-05, Section 6d.

\textsuperscript{710} Gregorio Semondo, First Secretary, Embassy of the Republic of Cape Verde, letter to USDOL official, October 26, 2001.
Cape Verde’s Constitution states that children of compulsory schooling age are prohibited from working, and expressly forbids the exploitation of child labor. The civil code prohibits certain forms of child sexual exploitation. The trafficking of children for the purposes of prostitution is punishable by 12 to 16 years in prison.

The Ministries of Justice and Labor enforce child labor laws, but only in the urban, formal sector of the economy with limited success. The government has cooperated with European authorities and neighboring governments to address the issue of trafficking.


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713 According to Article 405 of the Civil Code, parents who incite, encourage or facilitate the prostitution of a minor can be imprisoned for one to two years. According to Article 406 of the Civil Code, another person, legally responsible for the minor, who incites, encourages or facilitates the prostitution of the minor can be imprisoned for six months to two years while a person with no legal responsibility for the minor can be imprisoned for three months. See UN Committee on the Rights of the Child, Consideration of Reports: Periodic Reports: Cape Verde, 35-36.


715 U.S. Department of State, Country Reports- 2001: Cape Verde, 104-05, Section 6d.

716 Ibid., 104-05, Section 6f.

Central African Republic

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1998, the Government of the Central African Republic, local NGOs and unions established a network to fight against the worst forms of child labor. Two years later, in 2000, the government launched a study on child labor. Although the report has not been finalized, initial findings indicate a need for training for government employees involved in the investigating and monitoring of child labor.

In 2000, the government created a commission to study the magnitude of the trafficking in persons problem, locate those involved, and develop a plan to deal with the issue. The Ministries of Social Affairs, Interior, Labor, Rural Development, Justice, and Defense are represented on the commission; however, insufficient resources have limited the commission’s effectiveness. On August 10-19, 2001, the government organized a one-week sensitization campaign on the problem of sexual exploitation in preparation for the U.N. World Child Summit. In July 2002, the Central African Republic government ratified the African Union Charter of the Rights and Welfare of the Child. By September 19, 2002, the government, with assistance from UNICEF, initiated a nationwide implementation campaign to set up local committees around the country charged with monitoring and enforcing children’s rights in every district.

The percentage of the national budget allocated to education, which traditionally stood at less than 12 percent, increased to 18 percent in the late 1990s. According to the government, it will further increase to 25 percent by 2010. A community schools pilot program, assisted by UNICEF, has been established to facilitate the education of young girls outside of the traditional school system. The program is currently in the process of expanding due to its success.

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719 Ibid.
721 Ibid., 117-19, Section 5.
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 63.5 percent of children ages 5 to 14 years in the Central African Republic were working. Children reportedly work throughout the country, especially in rural areas, and some children work long hours at young ages. Children work in agriculture, mining, domestic services, cattle raising, and street vending. According to reports from an international agency, children also work alongside their families in the diamond fields. There have also been reports of young girls engaged in prostitution, sometimes by force. The number of children involved in this type of work has reportedly declined since 1999.

Trafficking in children also occurs both to the Central African Republic and within the country. Children are brought from Nigeria, Sudan, and Chad to work as domestic servants, shop assistants, and field workers. Merchants, herdsmen and others doing work in the region also traffic children into the country. These children are usually not related to their caretakers nor do they receive payment for their work. Most are not enrolled in school. There are concerns that refugee children have been forced to beg for food and money in the streets.

Education is compulsory from ages 6 to 14. However, students must pay for their own books, supplies, transportation costs and insurance. In 1998, the gross primary enrollment rate was 57.4 percent. The net primary enrollment rate was 53.4 percent. In 2000, the net primary attendance rate was 38.3 percent (53.5 percent in urban areas as opposed to 33.5 percent in rural areas).

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725 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of the Central African Republic, Multiple Indicator Cluster Survey (MICS): Central African Republic, UNICEF, Bangui, December 2000, 31.


729 There are reports that the presence of international peacekeeping forces prior to 1999 perpetuated the prostitution trade in the Central African Republic, as the peacekeepers served as a large group of clients. The practice of children engaging in prostitution has declined since late 1999, when international peacekeeping forces departed the country and the demand for prostitutes declined, although some girls continue to enter into prostitution to earn money for their families. See Ibid., 119-21, Section 6c.


733 U.S. Embassy- Bangui, unclassified telegram no. 783.

In some rural areas, teachers and principals have been known to use their students as farm labor to earn money for school supplies and expenses. Also, the age at which a child begins school tends to be delayed in rural areas. Although boys and girls have relatively equal access to education at the primary level, the number of female students decreases once girls reach the ages of 14 to 15 due to pressure to marry. This discrepancy is more pronounced in the rural areas where girls are often kept at home to carry out domestic tasks and work in the fields. Despite increases in education spending, the educational system’s budget remains small and unpaid salaries have resulted in a shortage of teachers and an increase in the number of street children. HIV/AIDS-related deaths have taken a heavy toll on teachers, contributing to the closure of more than 100 primary schools between 1996 and 1998.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years. However, children who are at least 12 years of age may engage in light work in some traditional agricultural activities or domestic work. Children under 18 are forbidden to perform hazardous work or to work at night. The Labor Code prohibits all forced labor. Enforcement of the labor laws is poor due to a lack of resources and insufficient labor inspection staff. In 2001, the number of trained inspectors totaled 72, but only 44 were working for the Ministry of Labor in some capacity. Ministry of Labor officials estimate 220 inspectors are needed in order to enforce labor laws properly.

Although prostitution is legal in the Central African Republic, Article 198 of the Criminal Code prohibits publicly soliciting persons. Violations are punishable by a fine or imprisonment from 5 days to 1 month. Article 199 prohibits procurement of individuals for sexual purposes, including assisting in prostitution, and designates a fine and imprisonment for 3 months to 1 year for those found guilty. Article 200 increases the penalty of imprisonment from 1 to 5 years for cases

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741 U.S. Embassy- Bangui, *unclassified telegram no. 783*.

742 The prohibition of forced or compulsory labor applies to children, although they are not mentioned specifically. See U.S. Department of State, *Country Reports- 2001: Central African Republic*, 119-21, Section 6c.

743 U.S. Embassy- Bangui, *unclassified telegram no. 783*.

744 Ibid.

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Minor’s brigades have been established to punish persons responsible for forcing children into prostitution. However, few cases were prosecuted due to the victims’ reluctance to press charges. Although the law does not specifically prohibit trafficking, traffickers can be prosecuted under anti-slavery laws, labor code violations, mandatory school age laws, and laws against prostitution. The government does not actively investigate trafficking cases.


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749 Ibid.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

UNICEF and the Government of Chad are collaborating on a campaign against the worst forms of child labor in Chad.\(^{751}\) In 2001, the government and UNICEF sponsored a number of workshops, seminars, and radio broadcasts to raise awareness of child labor issues.\(^{752}\) In an effort to combat child trafficking, the government has also sponsored media campaigns designed to advise parents on how to instruct children about the danger of trusting strangers.\(^{753}\) In 1997, a mediation body was created by the office of the Prime Minister to prevent the use of child soldiers by the national government and opposition forces.\(^{754}\) The government has undertaken measures to demobilize child soldiers and reintegrate them in civilian life.\(^{755}\)

The World Bank, African Development Bank, and European Development Fund have provided financial support to build schools in Chad.\(^{756}\) UNICEF has launched a set of programs intended to increase access to education, especially for girls. Measures taken to improve girls’ attendance rates include providing grants that reduce the domestic workloads for girls, and providing grants that offset schooling costs for families.\(^{757}\)

\(^{751}\) As part of this project, a base case study was conducted, and various materials, including pamphlets, were produced to raise awareness of the problem of child herders. U.S. Embassy- N’djamena, \textit{unclassified telegram no. 1795}, November 2001.


\(^{753}\) Ibid., 133-35, Section 6f.


\(^{755}\) Coalition to Stop the Use of Child Soldiers, “Chad,” 2.


\(^{757}\) UNICEF, \textit{Girls’ Education in Chad}, [online] [cited July 26, 2002]; available from \url{http://www.unicef.org/programme/girlsedcation/action/cases/chad.htm}.
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 65.5 percent of children ages 5 to 14 years in Chad were working.\textsuperscript{758} Child labor is rare in the formal sector, but it is common in the informal sector, particularly in agriculture and herding.\textsuperscript{759} In southern Chad, children are contracted to nomadic herders to tend animals. These children are often abused and provided little monetary compensation for their work.\textsuperscript{760} Children also work for little compensation as domestic servants in the households of relatives.\textsuperscript{761} Some families arrange marriages for daughters who are as young as 11 or 12 years. Once married, many of these girls are obligated to work long hours in the fields or in the home for their husbands.\textsuperscript{762} There are allegations that, in isolated instances, local authorities force children to work in the rural sector.\textsuperscript{763}

Despite periodic demobilizations of underage soldiers, there are reports that children continue to work in military installations in the north.\textsuperscript{764} Children as young as 13 from the Zagava ethnic group have been forcibly recruited into the army. Their responsibilities include detecting landmines on the frontlines.\textsuperscript{765} In 2001, families in conflict zones reported that they were forced to either provide one of their children to the armed forces as a recruit, or give money or crops as a substitute.\textsuperscript{766} The Ministry of Justice has also reported that the opposition recruits child soldiers by force.\textsuperscript{767}

Articles 35-38 of the Constitution of March 31, 1996 declare that all citizens are entitled to free non-religious education and training.\textsuperscript{768} However, parents still make considerable contributions

\textsuperscript{758} Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of the Republic of Chad, \textit{Multiple Indicators Cluster Survey (MICS) Report: Chad}, UNICEF, Ouagadougou, 2001, 6 and 66 [cited December 16, 2002]; available from http://www.childinfo.org/MICS2/natlMICSrepz/Chad/Chad_MICS_Report.pdf. In 2000, the ILO estimated that approximately 37 percent of children ages 10 to 14 in Chad were working. World Bank, \textit{World Development Indicators 2002} [CD-ROM], Washington, D.C., 2002.

\textsuperscript{759} U.S. Department of State, \textit{Country Reports- 2001: Chad}, 132-33, Section 6d. See also U.S. Embassy- N’Djamena, unclassified telegram no. 1795.

\textsuperscript{760} U.S. Department of State, \textit{Country Reports- 2001: Chad}, 132-33, Section 6d.

\textsuperscript{761} Ibid. See also U.S. Embassy- N’Djamena, unclassified telegram no. 1982, May 1997.


\textsuperscript{763} U.S. Department of State, \textit{Country Reports- 2001: Chad}, 132-33, Section 6c.

\textsuperscript{764} Coalition to Stop the Use of Child Soldiers, “Chad.”

\textsuperscript{765} Ibid. See also U.S. Department of State, \textit{Country Reports- 2001: Chad}, 132-33, Section 6c.

\textsuperscript{766} Coalition to Stop the Use of Child Soldiers, “Chad.”

\textsuperscript{767} Ibid.

\textsuperscript{768} UN Convention on the Rights of the Child, \textit{Initial Reports of States Parties: Chad}, para. 42, 155.
toward school costs. In 1998, the gross primary enrollment rate was 67.2 percent, and the net primary enrollment rate was 54.8 percent. Educational opportunities for girls are limited, mainly because of tradition, and girls tend not to attend as many years of school as boys. In 1996-1997, the gross primary school attendance rate was 54.9 percent, and the net primary attendance rate was 30.2 percent.

Child Labor Laws and Enforcement

The minimum age for employment in Chad is 14 years, but children may enter into certain non-hazardous forms of labor from the age of 12. According to a government decree of 1969, individuals must be 18 or older to perform hazardous work. The government aims to protect children from all forms of exploitation that may impair their moral and physical integrity. Articles 271-273 and 276-279 of the Penal Code protect children from sexual exploitation while Articles 279-282 protect children from procurement for prostitution. The trafficking and prostitution of children can result in a fine and imprisonment from 2 to 5 years. The voluntary recruitment age for children is 18 years, however younger children may be recruited with parental consent. The conscription age into the military is 20 years without consent of the child’s guardian. Forced and compulsory labor are prohibited by the Constitution and the Labor Code.

Footnotes:

769 In 1995, it was estimated that parents associations gave approximately 800 million CFA (USD 1,274,048) to schools. Ibid., para 42. For currency conversion, see FX Converter, [online] [cited November 14, 2002]; available from http://www.carosta.de/frames/convert.htm.

770 World Bank, World Development Indicators 2002.

771 U.S. Department of State, Country Reports- 2001: Chad, 132-33, Section 5.

772 In 1996-1997, the gross primary school attendance rate remained much higher for boys than for girls, 79.5 percent for boys and 38.1 percent for girls. The net attendance rate was 55.4 percent for boys and 43.4 percent for girls. Measure DHS+, Demographic and Health Surveys (DHS), [online] [cited September 11, 2002]; available from http://www.measuredhs.com/.


774 UN Convention on the Rights of the Child, Initial Reports of States Parties: Chad, para. 201.


778 Coalition to Stop the Use of Child Soldiers, “Chad.”

The Labor Inspectorate of the Ministry of Labor and Public Affairs is responsible for enforcing labor laws. Due to a lack of resources, from December 1998 to November 1999, no inspections could be made outside of the capital city of N’Djamena.\textsuperscript{780}

The Government of Chad ratified ILO Convention 182 on November 6, 2000, but has not ratified ILO Convention 138.\textsuperscript{781}


\textsuperscript{781} ILO, \textit{Ratifications by Country}, in ILOLEX, [database online] [cited August 29, 2002]; available from \url{http://ilolex.ch:1567/english/newratframeE.htm}.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Chile has been a member of ILO-IPEC since 1996. As part of this program, the government established the National Advisory Committee to Eradicate Child Labor. In 2001, the Committee developed a National Plan of Action with five focus areas: nation-wide awareness-raising, collection of data, promotion of legislative reform in compliance with ILO conventions, development of age-specific targeted intervention programs, and ongoing monitoring and evaluation. As part of this effort, the Committee has designed specific programs for children working in the regions of Río Cachapoal, El Olivar, Temuco and the suburbs of Santiago. In 2002, ILO-IPEC began working with the government on two new initiatives, a project to establish a national register on the worst forms of child labor and a project on the prevention and eradication of commercial sexual exploitation of children.
In addition to collaborative efforts with ILO-IPEC, the Chilean government recently announced that a new “Chile in Solidarity” program will begin at the end of 2002 to provide income and other support for families with children at risk of deserting school and working.\textsuperscript{789} A working group has also been established to prepare a plan of action against the commercial sexual exploitation of children.\textsuperscript{790}

Chile is also participating in regional efforts to combat child labor. In 1997, Chile was a party to the Declaration of Buenos Aires, in which it agreed, along with the Mercosur countries (Argentina, Brazil, Paraguay, and Uruguay), to conduct awareness raising and promote the harmonization of regional laws related to child labor. With the support of ILO-IPEC, the Chilean government is collaborating with the Mercosur countries to gather more adequate statistics on child labor under ILO-IPEC’s SIMPOC, to create and exchange best practices on child labor inspection systems, to promote legislation in line with ILO Conventions 138 and 182 throughout the region, to strengthen civil society partners, to incorporate child labor themes into national and regional policies, to remove children from and prevent children from entering child labor, and to establish observer committees responsible for evaluating progress.\textsuperscript{791} Also with assistance from ILO-IPEC, Chile is participating in the development of a coordinated information system on child labor throughout South America.\textsuperscript{792}

The Chilean Ministry of Education has initiated reforms to improve the quality, equity and efficiency of the country’s educational system.\textsuperscript{793} The government operates a family income support program (Subsidio Unico Familiar) in which families receive direct money transfers if they can demonstrate, among other requirements, that family members between 6 and 18 years of age are registered in school. The government also provides support for scholarship and school meal programs.\textsuperscript{794} There has been a significant increase in the number of schools covered by the Program of 900 Schools (P-900), initially launched in 1990, which provides funding for teaching assistants for a number of basic education classrooms.\textsuperscript{795} The government’s Rural Basic Education Program provides additional funding and targeted programs for rural students and teachers.\textsuperscript{796}


\textsuperscript{791} ILO-IPEC Regional Office for Latin America and the Caribbean, \textit{Plan Subregional para la Erradicación del Trabajo Infantil}, 5, 17-19.


\textsuperscript{794} Bianchi, facsimile communication, September 6, 2002.


1996, the government implemented the Full School Day Reform, which extended the school day, provided a new curriculum framework, implemented incentives for teacher professionalism and initiated a network to model and disseminate innovative teaching, learning and managerial practices at the secondary level.797

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that less than 1 percent of children ages 10 to 14 in Chile were working.798 ILO-IPEC has identified mining, agriculture and street work as three high risk areas where children are working in Chile.799 Children also work in manufacturing (garment, furniture, bottling and packaging), lumber processing, charcoal production, meat processing, shellfish processing, fishing, ranching, shepherding, domestic service, as baggers in supermarkets, and in the sale of drugs.801 Many children are employed in the informal economy.802 Children are involved in making and selling crafts, fruit and vegetable sales, and in cooking and serving.

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797 All government and privately subsidized schools were expected to adopt the reform by 2002, unless superior performance could be demonstrated. See Delannoy, “Education Reforms in Chile,” 26-27. In addition, the Ministry of Education has promoted a national debate on a proposal to require 12 years of schooling in Chile. See Ministry of Education, *Seminario, 12 Años de Escolaridad: Un Requisito para la Equidad*, Government of Chile, [online] 2002 [cited August 2, 2002]; available from http://www.mineduc.cl/destacados_web/seminario12/index.htm.

798 World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002. In 1996, a survey conducted by the Chilean Ministry of Planning and Cooperation estimated that 1.9 percent of children ages 6 to 14 years in Chile were working during the three months preceding the survey. The 1996 government survey found that approximately 47,000 children ages 6 to 14 (or 1.9 percent of children in that age group) were working. The same survey found that approximately 78,000 children ages 15 to 17 were working, which is 9.7 percent of children in that age group. See Ministry of Planning and Cooperation, *Situación del Trabajo Infantil en Chile, 1996: Resultados de la Encuesta de Caracterización Socioeconómica Nacional*, survey, Santiago, September 1997, 3, 9. According to a more recent version of this same household survey, 4 percent (64,954) of children ages 12 to 17 were working in 2000. See Ricardo Solari Saavedra, “La Erradicación del Trabajo Infantil en Chile: Caracterización, Acciones del Gobierno y Lineamientos a Futuro,” *Observatorio Laboral on Line* (July 11, 2002), [cited December 16, 2002]; available from http://www.mintrab.gob.cl/.

799 U.S. Embassy- Santiago, *unclassified telegram no. 2756*.


in prostitution in Chile. There is limited information available on other forms of commercial sexual exploitation of children in Chile.

Education is free and compulsory in Chile for eight years. In 1998, the gross primary enrollment rate was 105.8 percent and the net primary enrollment rate was 87.9 percent. In 2000, according to a government household survey, 1 percent of Chilean children between 6 and 13 did not attend school. The country’s rural population completes less schooling than the country’s urban population. The likelihood that children will engage in work instead of attend school increases as family income decreases.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 15 years, although children under the age of 15 may work in theatrical productions with the proper legal authorization. Fifteen year olds

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804 There have been reports that girls are trafficked from Chile to Brazil’s Pantanal region. See Swedish International Development Agency, Looking Back, Thinking Forward, Section 4.3. Internet child pornography is available in Chile. In July 2002, arrests were made of four men involved in Internet child pornography. See ECPAT International, Chile. See also Casa Alianza, Casa Alianza and Chilean TV Break up Pedophile Network, [electronic listserv] 2002 [cited July 5, 2002].

805 Right to Education, Chile: Constitutional Guarantees, [online] [cited November 8, 2002]; available from http://www.right-to-education.org/content/consguarant/chile.html.


807 World Bank, World Development Indicators 2002.


810 Ministry of Justice, Trabajo Infantil en Chile, 7.

are allowed to do light work if they have completed compulsory education, and if the work will not affect their health, development or attendance in education and training programs. Children ages 16 to 18 can work with the permission of their parents.\textsuperscript{812} Children under the age of 18 are prohibited from working at night between the hours of 10 p.m. and 7 a.m. (outside a family business), underground, in nightclubs or similar establishments in which alcohol is consumed, or in activities that endanger their health, safety or morality.\textsuperscript{813} The Constitution and the Labor Code prohibit forced labor,\textsuperscript{814} and the prostitution of children, corruption of minors and involvement of children in pornography are prohibited under the Penal Code.\textsuperscript{815} The trafficking of children for prostitution is also prohibited under the Penal Code.\textsuperscript{816}

The Ministry of Labor’s Inspection Agency enforces child labor laws in the formal sector, while the National Service for Minors within the Ministry of Justice investigates exploitative child labor related to pornography, the sale of drugs, and other related criminal activities.\textsuperscript{817} Child labor inspections are infrequent, and are usually initiated only after a specific complaint,\textsuperscript{818} but overall compliance is good in the formal economy.\textsuperscript{819} Child labor is a problem in the informal economy, however.\textsuperscript{820} Cases of commercial sexual exploitation of children often are not investigated and prosecuted and victim assistance services are lacking.\textsuperscript{821}

Chile ratified ILO Convention 138 on February 1, 1999 and ILO Convention 182 on July 17, 2000.\textsuperscript{822}

\textsuperscript{812} Código del Trabajo, Article 13.

\textsuperscript{813} Boys between the ages of 16 and 18 are excepted from this regulation in certain industries. Ibid., Articles 14-15, 18. See also U.S. Embassy- Santiago, unclassified telegram no. 2756.

\textsuperscript{814} U.S. Department of State, Country Reports- 2001: Chile, 2677-80, Section 6c.

\textsuperscript{815} U.S. Embassy- Santiago, unclassified telegram no. 2756. See also Interpol, Legislation of Interpol Member States on Sexual Offenses against Children: Chile, [online] [cited August 13, 2002]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaChile.asp.

\textsuperscript{816} Interpol, Legislation of Interpol Member States.

\textsuperscript{817} U.S. Embassy- Santiago, unclassified telegram no. 2756.

\textsuperscript{818} Ibid.

\textsuperscript{819} U.S. Department of State, Country Reports- 2001: Chile, 2677-80, Section 6d.

\textsuperscript{820} Ibid., 2675-77, Section 5.


Colombia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Colombia has been a member of ILO-IPEC since 2002. The government is participating in a three-year ILO-IPEC regional project funded by USDOL to prevent and eliminate child domestic labor. The project aims to prevent the entry of children into domestic labor, withdraw current child domestic workers from employment, gradually enroll them in school or provide vocational training, and improve overall family income. Colombia is also participating in a two-year ILO-IPEC project funded by USDOL on the prevention and elimination of child labor in small-scale mining that includes efforts to improve social services, increase the efficiency and productivity of the mining system, and diversify economic activities. The Colombian government has also worked with ILO-IPEC to implement projects for working children involved in commercial sexual exploitation, agriculture and urban work. The government has collected data on child labor and is preparing a report with technical assistance from ILO-IPEC’s SIMPOC.

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825 ILO-IPEC, Domestic Labor in South America, project document, 8, 9. Save the Children and UNICEF have designed a database that will house information regarding the impact of this project. See also ILO-IPEC, “UNICEF, Save the Children UK e IPEC unidos contra el Trabajo Infantil Doméstico,” Encuentros no. 2 (December 2001), [cited December 26, 2002]; available from http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipec/boletin/numero2/Boletindos/notipeca.html.


828 ILO-IPEC, Domestic Labor in South America, project document, 6.

829 ILO-IPEC, IPEC action against child labour, 76.

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In 1997, a National Commission for the Eradication of Child Labor was established, and in 2000, a two-year plan of action was developed. The objectives of the plan are the consolidation of a national child labor information system; transformation of cultural standards that support child labor; legislative and public policy reform; withdrawal of children from the worst forms of child labor; and coordination of efforts among national, regional, and local governments. Government efforts have also removed minors from guerrilla and military self-defense groups, and sought to prevent their recruitment in the future. The Colombian Institute for Family Welfare and other government agencies initiated a project in July 2002 to remove children from street work in the city of Cali.

The government is also working with international development banks and other institutions to promote the welfare of children in Colombia. In August 2002, the World Bank approved a USD 155 million loan to Colombia to strengthen social safety nets, which includes initiatives to improve child health and education. This support complements two other recent World Bank loans to the Colombian government. In 2001, a three-year USD 150 million loan was awarded to alleviate the impact of economic crisis on the country’s vulnerable populations through a variety of initiatives.

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including efforts to increase school enrollment, reduce student absenteeism, and decrease drop-out rates. In 2000, the World Bank awarded a four-year USD 20 million loan to the government to improve the quality of and access to education in the country’s rural areas. In 1999, the IDB approved financing for the government to initiate education reforms, including initiatives to ensure children are offered a full cycle of basic education, and in 2000, the IDB provided funding for a Ministry of Education project to provide support to families to increase school attendance and reduce primary and secondary dropout rates. The government is collaborating with the Organization of American States (OAS) and USAID on programs to rehabilitate former child soldiers.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 6 percent of children ages 10 to 14 years in Colombia were working. In urban areas, child labor is concentrated in the retail and services sectors, and in activities such as street vending, waiting tables and prostitution, while in rural areas most of the

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843 U.S. Embassy- Bogotá, *unclassified telegram no. 9111*. 
working children participate in uncompensated family agricultural and mining activities. Children also work in the cut flower industry and in coca picking.

Children are involved in commercial sexual exploitation in Colombia; estimates range from approximately 4,500 to 35,000 children and adolescents. Colombia is a source country for children who are trafficked abroad to Spain, Japan and the United States as well as internally for sexual exploitation. In 2001, some estimates placed the number of women and children trafficked outside Colombia for sexual exploitation or forced labor at 500,000. An insurgent campaign to overthrow the government has been ongoing for more than 40 years, and the government has estimated that 6,000 children serve as combatants in the guerrilla forces and paramilitary militias. Children are forcibly recruited to carry out such tasks as kidnapping and guarding of hostages, and to serve as human shields, messengers, spies, sexual partners, and “mules” to transport arms and bombs.

The Constitution requires children between the ages of 5 and 15 to attend school, and education is free in state institutions. In 1998, the gross primary enrollment rate was 112.0 percent, and the net primary enrollment rate was 86.7 percent. A Colombian Government survey indicated that in 1999, the primary school drop-out rate was 7.4 percent. In 1995, the gross primary attendance rate was 148.1 percent, and the net primary attendance rate was 89.5 percent. While

844 ILO-IPEC, Small Scale Mining-Colombia, project document, 7.
850 UN Committee on the Rights of the Child, Summary Record: Colombia. See also UNICEF Humanitarian Action, Colombia: Donor Update.
853 World Bank, World Development Indicators 2002.
855 Although somewhat dated, these are the most recent attendance statistics available for Colombia. USAID, Development Household Survey, 2000.
basic education enrollment improved over the 1990s,\textsuperscript{856} many children in rural and low-income populations in Colombia face obstacles to attending school.\textsuperscript{857}

\textbf{Child Labor Laws and Enforcement}

Colombia’s Labor Code sets the minimum age for employment at 14 years, but also defines special conditions under which children ages 12 and 13 are authorized to perform light work with permission from parents and labor authorities.\textsuperscript{858} Article 44 of the Colombian Constitution calls for the protection of children against all forms of economic exploitation, exploitation in employment and hazardous work.\textsuperscript{859} Decree 1974, enacted in 1996, created the Committee to Fight against Trafficking in Persons, Especially Women and Children,\textsuperscript{860} and in 2001, Colombia passed an anti-trafficking in persons law.\textsuperscript{861} Law 548 of 1999 establishes that persons below the age of 18 cannot perform military service.\textsuperscript{862}

The Ministry of Labor, the Colombian Institute for Family Welfare, the Minors’ Police, the Prosecutor’s Office for the Protection of the Child and Family, and Family Commissioners are the entities authorized to implement and enforce the country’s child labor laws and regulations.\textsuperscript{863} The Labor Ministry has inspectors throughout the country who are responsible for conducting child labor inspections, but the system lacks resources and is only able to cover a small percentage of the child labor force employed in the formal sector.\textsuperscript{864} The Prosecutor General’s Specialized Sex Crimes and Human Dignity Unit reported in 2000 that from August 1999 to August 2000 it opened 41 cases in which a child under 14 were lured into prostitution.\textsuperscript{865} Police actively investigate trafficking offenses but a lack of resources, an inadequate witness protection system and an inefficient judicial system hinder prosecution.\textsuperscript{866} The government is unable to enforce the legal prohibition against forced labor by children in the country’s armed conflict.\textsuperscript{867}

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\textsuperscript{857} Ibid., 6.
\textsuperscript{858} U.S. Embassy- Bogotá, \textit{unclassified telegram no. 9111}.
\textsuperscript{859} Observatory of the Presidential Program for Human Rights and International Humanitarian Law, \textit{The Eradication of Child Labor}, 4.
\textsuperscript{860} U.S. Embassy- Bogotá, \textit{unclassified telegram no. 9111}.
\textsuperscript{861} U.S. Department of State, \textit{Trafficking in Persons Report: Colombia}, 40.
\textsuperscript{862} Coalition to End the Use of Child Soldiers, “Global Report 2001: Colombia.”
\textsuperscript{863} U.S. Embassy- Bogotá, \textit{unclassified telegram no. 9111}.
\textsuperscript{864} U.S. Department of State, \textit{Country Reports- 2001: Colombia}, 2722-28, Section 6d.
\textsuperscript{865} Ibid., 2717-22, Section 5.
\textsuperscript{866} U.S. Department of State, \textit{Trafficking in Persons Report: Colombia}, 40.
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The Government of Colombia ratified ILO Convention 138 on February 2, 2001, but has not ratified ILO Convention 182.\textsuperscript{868}

Comoros

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In March 2002, the Government of Comoros participated in a two-day conference on child exploitation with seven other francophone African countries. The conferees agreed to define a “child” as a person under the age of 18 and produced a list of 21 guiding principles for child exploitation activities that need to be banned in their nations. The government has also worked together with UNICEF to evaluate the extent of child labor and improve girls’ education, and with the World Bank since 1997 on a USD 7.5 million project to improve primary and vocational education. From 2002 to 2007, the government will collaborate with the European Commission on various projects in the education sector aimed at the rehabilitation of elementary education infrastructure, the development of technical and vocational training, institutional capacity building, the improvement of quality secondary education, and the rationalization of higher education.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 36.7 percent of children ages 5 to 14 years in Comoros were working. Children work in the informal sector, in agriculture, and in family enterprises.

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869 The other countries participating in the meeting were: Mali, Burundi, Cameroon, Congo (Republic of), Morocco, Senegal and Tunisia. See UN Integrated Regional Information Networks, Nations Press Ahead to End Child Exploitation, allAfrica.com, [online] April 2, 2002 [cited September 10, 2002]; available from http://www.allafrica.com/stories/printable200204020605.html.


871 UNICEF has also supported the Government of Comoros to implement the following activities: a 2000 study to establish baseline performance indicators for children in grade 4; the collection of data for the 2000 Education for All reports; and a reconciliation accord in February 2001 to bring about political stability to the country. Government of Comoros, Girls’ Education in Comoros, UNICEF, [cited September 10, 2002]; available from http://www.unicef.org/programme/girlsedication/action/ed_profiles/Comorosfinal.PDF.


874 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Comoros, Multiple Indicator Cluster Survey 2 (MICS2): Standard Tables for Comoros, UNICEF Statistics, Table 42a [cited September 10, 2002]; available from http://www.childinfo.org/MICS2/newreports/comoros/comoros.htm.
particularly in subsistence farming and fishing. Children, some as young as 7 years old, also work as domestic servants, in exchange for food and shelter. Migration from rural areas and poverty have led to a growing number of children working and living on the streets. Armed separatist groups in Anjouan, an island in Comoros, have reportedly been recruiting children between the ages of 13 and 16 years.

Primary education is compulsory until the age of 10. In 1998, the gross primary enrollment rate was 75.9 percent, and the net primary enrollment rate was 49.7 percent. According to UNICEF, only 22.1 percent of boys and 26.9 percent of girls who start primary school reach grade 5. Attendance is not enforced by the government and only 31.2 percent of all primary school children ages 6 to 12 attend school. There is a general lack of facilities, equipment, qualified teachers, and textbooks and other resources. Salaries for teachers are low and often so far in arrears that many teachers refuse to work.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 15 years. The government does not prohibit forced and bonded labor by children, but the Constitution prohibits these types of labor generally. Prostitution is illegal in Comoros and procurement is prohibited under Article 322 of the Criminal Code. A procurer is punished with a fine and imprisonment from one to three years.

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876 UN Committee on the Rights of the Child, *Concluding Reports*. See also UN Committee on the Rights of the Child, *Summary Record*, para. 3.

877 UN Committee on the Rights of the Child, *Concluding Reports*, para. 39. See also UN Committee on the Rights of the Child, *Summary Record*, para. 3.

878 UN Committee on the Rights of the Child, *Summary Record*, para. 41.


884 UN Committee on the Rights of the Child, *Concluding Reports*, para. 43. See also Government of Comoros, *Girls’ Education in Comoros*.

885 UN Committee on the Rights of the Child, *Summary Record*, para. 23.

886 Ibid., 142-43, Sections 6d and 6e.

years. The Code specified higher penalties (two to five years) if this crime is committed against a minor, or if its committed with threats, coercion, violence, assault, or the abuse of authority. Article 323 of the Criminal Code also provides increased penalties for procurement in the context of international trafficking. The government does not enforce labor laws, in part because of a lack of labor inspectors and general dearth of resources.

The Government of Comoros has not ratified ILO Convention 138 or ILO Convention 182.

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889 Ibid.
890 Ibid.
891 Ibid.
892 UN Committee on the Rights of the Child, Concluding Reports, para. 48.
893 U.S. Department of State, Country Reports-2001: Comoros, 141-43, Section 5 and 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Democratic Republic of the Congo (DRC) is an associated country of ILO-IPEC. The government is participating in a regional four-year, USDOL-funded ILO-IPEC program designed to prevent the involvement of children in armed conflicts in Central Africa. The first phase of the project gathered basic information on the needs of children involved in conflicts in the region and established mechanisms for regional information sharing and coordination. In 2002, government officials participated in awareness raising activities on child labor organized by ILO-IPEC in conjunction with the African Cup of Nations.

The government has received support from various international organizations for projects to assist children involved or at risk of involvement in the armed conflict in the DRC. In 2000, DRC President Joseph Kabila established a demobilization program for children and other vulnerable groups involved in the nation’s conflict, and created the National Bureau for Demobilization and Reintegration to head the effort in conjunction with UNICEF. The actual demobilization of children began in 2001. The demobilization program is providing support for family tracing services, medical assistance, psychological rehabilitation, and reintegration orientation for former child soldiers, as well as support for research and awareness raising with families in order to achieve acceptance of the returning children.

The government is also receiving support from UNICEF, other UN agencies and NGOs on a project to improve the country’s education system by providing displaced and other war-affected children.

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with basic education, and on a project for girls to increase enrollment, reduce drop-out rate, and encourage transition to secondary education. The World Bank is providing support to the government to address data, policy and capacity gaps in the DRC so as to enable the country to qualify for funding under the UN fast-track Education for All grant financing program.

**Incidence and Nature of Child Labor**

In 2001, UNICEF estimated that 24.2 percent of children ages 5 to 14 years in the DRC were working. Children work in the informal sector and in subsistence agriculture, which constitute the largest sectors of the economy. Children work in mining, garbage collecting and drug trafficking, and as porters and errand boys. Girls as young as 8 years of age have reportedly been forced into prostitution, while other children hunt or fish to support their families instead of...
attending school. Many street children in the DRC’s major towns and cities work in extremely hazardous conditions, and are at risk of sexual exploitation or recruitment into the armed forces.

In 2002, UNICEF estimated that 15,000 child soldiers were engaged in the conflict in the DRC. In 2001, there were reports that children as young as 13 years were recruited as soldiers in the Congolese Armed Forces (FAC). Children as young as 8 years old have been recruited into local militias. During 2001, the government stopped encouraging the enlistment of children in paramilitary organizations. To date, there is no information available on the recruitment of children by the armed forces in 2002. Congolese child soldiers serve as runners, bodyguards, porters, spies, and fighters on the frontlines. There have been reports that the FAC sexually exploits homeless girls. Children from the DRC have been trafficked to Europe for purposes of commercial sexual exploitation. Children from other African countries are trafficked to the DRC and forcibly recruited into rebel militias.

911 Ibid., 165-68, Section 5.
913 The number of child soldiers fighting in the DRC is estimated to be higher than the number of child soldiers fighting in any other conflict in the region, including Angola, Uganda, Sudan and Rwanda, as well as Sierra Leone in West Africa. See UN Wire, Great Lakes: UNICEF Works to Reintegrate 35,000 Child Soldiers, United Nations Foundation, [online] October 7, 2002 [cited October 8, 2002]; available from http://www.unfoundation.com/unwire/util/display_stories.asp?objid=29441.
915 Coalition to End the Use of Child Soldiers, “Child Soldiers on Trial in the DRC,” Child Soldiers Newsletter # 3 (March 2002), 8.
916 U.S. Department of State, Country Reports- 2001: Democratic Republic of the Congo, 146-58, Section 1f.
917 Coalition to End the Use of Child Soldiers, “Child Soldiers on Trial in the DRC,” 8.
918 U.S. Department of State, Country Reports- 2001: Democratic Republic of the Congo, 146-58, Section 1c.
920 Coalition to End the Use of Child Soldiers, “Child Soldiers on Trial in the DRC.”
Education in the DRC is neither compulsory nor free. In 1998, the gross primary enrollment rate was 46 percent, and the net primary enrollment rate was 32.1 percent. In 2001, the net primary attendance rate was 51.7 percent. Barriers to attendance include parents’ inability to pay school fees, dilapidated school facilities and population displacement.

**Child Labor Laws and Enforcement**

Article 115 of the Labor Law sets the minimum age for employment in businesses, including as an apprentice, at 14 years. Children between the ages of 14 and 18 may work with the consent of a parent or guardian; those under 16 may work up to four hours per day; those 16 to 18 years may work up to eight hours per day. Children under the age of 18 are prohibited from working at night in public or private establishments. The draft Constitution contains prohibitions against forced labor, the recruitment of children in national defense forces or children’s participation in hostilities. The Constitution has not been officially adopted, however. Under the Juvenile Code, children under 14 are prohibited from engaging in prostitution. There are no specific laws that prohibit trafficking.

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924 Christian Aid, Oxfam, and Save the Children UK, *No End in Sight*.


927 *Code du Travail*, Article 106.


929 Ibid., Article 43.


931 U.S. Department of State, *Country Reports- 2001: Democratic Republic of the Congo*, 165-68, Section 5. Area NGOs, however, have stated that the country lacks legal protections against sexual exploitation of children, including for commercial purposes. See NGO Working Group for the Rights of the Child, *Rapport Alternatif et evaluatif des ONGs sur l’application de la convention relative aux droits de l’enfant*.

Although responsible for enforcing child labor laws, the Ministry of Labor makes little effort to do so.\textsuperscript{933} The Government of the DRC, and particularly its military court, fails to provide basic protections to children. Some former child soldiers as young as 11 years have been imprisoned and, although very little information is available in regard to these children, human rights groups say some children have been tortured and at least one was forced to execute another.\textsuperscript{934}

The Government of the Democratic Republic of the Congo ratified both ILO Convention 138 and ILO Convention 182 on June 20, 2001.\textsuperscript{935}

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933  Ibid., 168-70, Section 6d.
934  Coalition to End the Use of Child Soldiers, “Child Soldiers on Trial in the DRC,” 8-9.  See also UN Committee on the Rights of the Child, \textit{Committee on the Rights of the Child Starts Consideration of Report: Delegation Asked to Clarify the Fate of Children}.
\end{flushright}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Republic of Congo is an associated country of ILO-IPEC. The Government of the Republic of Congo is participating in a regional, four-year ILO-IPEC program funded by USDOL that is designed to prevent the involvement of children in armed conflicts in Central Africa. The first phase of the project gathered basic information on the needs of children involved in conflicts in the region and established mechanisms for regional information sharing and coordination.

The Government of the Republic of Congo is also receiving support from UNICEF for efforts to demobilize child soldiers and to compile information on children separated from their families. In addition, UNICEF is promoting the free registration of children at birth, since many children in the area go undocumented, facilitating their exploitation by child traffickers.

With support from various governments, private sector organizations and the World Bank, UNDP initiated a two-year project in the Congo in 2000 aimed at re-establishing basic social services and creating economic opportunities in communities affected by the recent war. The project has provided support for the rehabilitation of the school system in certain areas of the country, provided supplies for health centers, and encouraged HIV-AIDS education in the schools. In 2002, the World Bank initiated an emergency reconstruction project in the country that will include financing for school rehabilitation.

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Incidence and Nature of Child Labor

In 2000, the ILO estimated that 25.4 percent of children ages 10 to 14 years in the Republic of the Congo were working.942 Children work for their families in rural areas or in informal business activities in cities.943 Isolated cases of child prostitution have also been reported, particularly among the growing numbers of street children.944 There have been reports of trafficking of children between the Congo and other countries in the region,945 but there is little information on the subject.946 Although children were recruited by pro-government militias and rebel groups during the full-scale civil war that began in 1997 and ended in 2000,947 there were no substantiated reports of the use of child soldiers in 2001.948

Primary school education is compulsory for children between the ages of 6 and 11.949 In 1998, the gross primary enrollment rate was 57.4 percent, a substantial decline from earlier in the decade before civil war began.950 Enrollment at pre-primary through university level education was reportedly down in 2000 as well.951 Between 40 and 50 percent of the Congo’s school-age children

944 Ibid.
945 Ibid., 179-80, Section 6f.
948 U.S. Department of State, Country Reports- 2001: Congo, 179-80, Section 6d. In addition to the past use of child soldiers in the Republic of Congo, in the past there have been reports that ethnic Pygmies, possibly including children, have worked as indentured servants for ethnic Bantus in remote northern areas of the country. There were no reports of the problem, however, in 2001. Little reliable information exists on the issue. See U.S. Department of State, Country Reports- 2001: Congo, 177-79, Section 5. The government argues that what may appear to be slavery is in fact an arrangement whereby the Pygmies, who are hunters, work for monetary or in-kind compensation on farms owned by the Bantus. See Embassy of the Republic of Congo, diplomatic note 2267/MAECF-CAB/CAJ, letter to USDOL official, October 25, 2001.
950 Net primary enrollment rates are unavailable for the Congo. See World Bank, World Development Indicators 2002.
reportedly do not attend school. Many classroom buildings were damaged during the civil war; schools have few educational materials and poor hygiene and sanitation systems; and teachers lack training. High drop-out rates in urban and rural areas are reportedly due to poverty, teacher absenteeism, and poor learning conditions. According to UNICEF, 1,714 schools in the country needed rehabilitation in 2001. The lack of resources has made it very difficult for the Ministry of Education to rehabilitate the facilities and rebuild the system. More recent statistics that might reflect post-war rehabilitation efforts are not available.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 16 years, unless otherwise permitted by the Ministry of Education. The law prohibits forced or compulsory labor. Procuring any person for the purposes of prostitution is illegal, with increased punishment if the crime is committed with a minor. The Ministry of Labor is responsible for enforcing child labor laws and monitors businesses in the formal sector, but most child labor occurs in the informal sector or rural areas that lack government oversight.


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954 Integrated Regional Information Networks, *UNICEF to Build and Rehabilitate Schools*.


956 Ibid.


Costa Rica

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Costa Rica has been a member of ILO-IPEC since 1996.962 Currently, Costa Rica is participating in several ILO-IPEC projects funded by USDOL, including a project to collect child labor statistics and a project to combat child labor in the coffee sector (in Turrialba and Guanacaste).963 With other donor funding, in July 2002, the Government of Costa Rica and ILO-IPEC began preliminary activities with the participation of stakeholders to map and define the worst forms of child labor, in preparation for a Time-Bound Program.964 Also, ILO-IPEC is carrying out a project aimed at raising awareness, collecting information, and providing direct attention to children involved in domestic work in the homes of third parties.965 In collaboration with ILO-IPEC, the labor union Central del Movimiento de Trabajadores Costarricenses (CMTC) is supporting a pre-school center for the children of street vendors in San Jose.966 Costa Rica is also participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation.967

In 1996, the Government of Costa Rica established the National Directive Committee for the Progressive Eradication of Child Labor and the Protection of Adolescent Workers in Costa Rica.968 The Committee developed a national plan to eliminate child labor and fostered a number of institutions that address child labor, including the Executive Secretariat for the Eradication of Child Labor, the Office of Eradication of Child Labor and Protection of Adolescent Laborers, and the

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965 ILO official, electronic communication to USDOL official, September 16, 2002.

966 ILO official, electronic communication to USDOL official, September 10, 2002.

967 Though the project focuses primarily on awareness raising, institutional capacity building, and international and national coordination, this project will target 150 girls in Limon, Costa Rica for direct services, such as education, social services, and health care. See ILO-IPEC, Stop the Exploitation: Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic, project document, RLA/02/P51/USA, 2002.

National Commission Against the Commercial Exploitation of Minors and Adolescents.\textsuperscript{969} The commercial sexual exploitation of children is recognized as a problem in Costa Rica and it is on the political and public agenda through discussion in presidential discourse, political debates, newspaper reports, editorials, studies, and fora.\textsuperscript{970}

In September 2000, the government established the “National Agenda for Children and Adolescents, 2000-2010,” in which it pledged to prevent and eliminate the worst forms of child labor and achieve 100 percent retention of children in basic education by the year 2010.\textsuperscript{971} Since implementation of the agenda began, the government has created promotional materials on the problem of child labor; provided awareness training to over 1,450 government officials, college students, and private sector employees in the banana industry; and educated 4,000 youths on worker rights. All labor inspectors are reportedly trained in child labor enforcement and the prevention of child exploitation.\textsuperscript{972}

In the area of education, the government is promoting children’s access to primary school through on-going publicity campaigns sponsored by the Ministries of Labor and Public Education and has increased its education budget by 22 percent in the last five years in an effort to help more children complete secondary school.\textsuperscript{973} The government is also working with the World Bank on a USD 23 million project designed to improve basic education in grades one through nine, particularly in disadvantaged rural and marginal urban areas, through revised curriculum; production and distribution of textbooks; creation of teaching manuals and educational materials; teacher and school administrator training; and pilot computer use in classrooms.\textsuperscript{974} Costa Rica is also involved in an IDB program aimed at improving pre-school and lower-secondary education.\textsuperscript{975}

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\item \textsuperscript{970} ILO-IPEC, \textit{Explotación Sexual Comercial de Personas Menores de Edad en Costa Rica}, San José, May 2002, 35.
\item \textsuperscript{973} U.S. Embassy- San José, \textit{unclassified telegram no. 1586}.
\end{itemize}
Incidence and Nature of Child Labor

In 2000, the ILO estimated that 4.1 percent of children ages 10 to 14 years in Costa Rica were working. 976 In rural areas, children work in agriculture and cattle-raising, primarily on family-owned farms. Costa Rican children traditionally help harvest coffee beans and sugarcane, although this work is increasingly done by Nicaraguan immigrants. 977 Some children work as domestic servants, and others may be involved in construction, carpentry, furniture making, baking, sewing and the small-scale production of handicrafts. Children also bag groceries at supermarkets, sell goods on streets or highways, and watch over parked vehicles. 978 The prostitution of children is a problem in Costa Rica, 979 and is often associated with the country’s sex tourism industry. 980 Costa Rica is a transit and destination point for children trafficked for sexual exploitation purposes. 981 Most trafficking victims originate from Bulgaria, Colombia, the Dominican Republic, Nicaragua, Russia, Panama, and the Philippines; however, other trafficked persons have come from Africa and Asia. 982

Education is compulsory and free for six years at the primary level and three years at the secondary level. 983 In 1998, the gross primary enrollment rate was 108.5 percent and the net primary enrollment rate was 93.1 percent. 984 Primary school attendance rates are unavailable for Costa Rica. While enrollment rates indicate a level of commitment to education, they do not always


977 U.S. Embassy- San José, unclassified telegram no. 0515.

978 Ibid. See also National Institute of Children (PANI), El Trabajo Infanto Juvenil en Costa Rica y Su Relación Con La Educación: Analysis de los Resultados de la Encuesta de Hogares de Propositus Múltiples 1994 Sobre Actividades de los Menores de Edad, San José, June 1995, 23-24. These sources are the most current because no survey has been carried out in the past 4-5 years.


reflect children’s participation in school. The proportion of drop-outs is higher in rural areas (16 percent) than in urban areas (7.5 percent).

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 15 years. The Children and Adolescents’ Code prohibits minors under the age of 18 from working in mines, bars and other businesses that sell alcohol, in unsafe and unhealthy places, in activities where they are responsible for their own safety and the safety of other minors, and where there they are required to work with dangerous equipment, contaminated substances or excessive noise. Under the Children and Adolescent’s Code, children are also not allowed to work at night or more than 6 hours a day or 36 hours a week. The Constitution provides working women and children with special protection.

The Children’s Bill of Rights states that all children and adolescents have the right to protection from all forms of exploitation, including prostitution and pornography. The Penal Code provides a prison sentence of between 4 and 10 years if the victim of prostitution is under the age of 18. The Penal Code also prohibits the entry or exit/departure of women and minors in and out of the country for prostitution, which carries a 5 to 10 year prison sentence, if convicted.

The Ministry of Labor and Social Security is responsible for detecting and investigating labor violations, while the National Board for Children and the judiciary branch are responsible for addressing cases of child sexual exploitation. The Ministry of Labor houses the Office of

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985 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
988 Código de Trabajo, Article 94. See also Daremblum, letter, October 23, 2001.
989 Código de la Niñez y la Adolescencia, 1997, Article 95.
992 This provision is found in Article 172 of the Penal Code. See Ibid.
994 The Ministry of Labor carries out these responsibilities through its Bureau for the Attention and Elimination of Child Work and Protection of Adolescents, and through the Office of Labor Inspection. See Daremblum, letter, October 23, 2001, 3.
Eradication of Child Labor and Protection of Adolescent Laborers, which is responsible for coordinating all direct action programs, maintaining a database on all workers under the age of 18, coordinating the implementation of the National Plan and public policy, and training labor inspectors on child labor. Child labor investigations can be initiated after an inspection, or in response to complaints filed by government or NGO representatives, or members of civil society, including children and adolescents who are subject to exploitation. Due to limited resources, child labor regulations are not always enforced outside the formal economy. The government effectively enforces its law against forced labor and has been enforcing its prohibitions against the sexual exploitation of minors by raiding brothels and arresting pedophiles.


998 Ibid.


Côte d’Ivoire

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Côte d’Ivoire is an associated country of ILO-IPEC. Côte d’Ivoire is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. In January 2002, the Government of Côte d’Ivoire, in collaboration with Interpol, organized a meeting that was attended by officials from Benin, Burkina Faso, Gabon, Mali, Niger, and several UN agencies and NGOs, to discuss child trafficking in West and Central Africa. Issues that were covered included the implementation of a September 2000 agreement between Côte d’Ivoire and Mali to combat child trafficking, prevention of trafficking, and rehabilitation of victims. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.

In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Côte d’Ivoire. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among USG donors, greater coordination with international donors, engagement with and funding of regional and international organizations, and direct funding for host government or local NGOs.

In July 2001, the National Committee for Combating Trafficking and Exploitation of Children was created in Côte d’Ivoire by presidential decree. In September 2000, Côte d’Ivoire and Mali


1004 UN Integrated Regional Information Networks, Regional Efforts Against Child Trafficking.

1005 The strategy is intended to encourage governments in the region to develop and implement laws that allow for the prosecution of traffickers. See U.S. Embassy- Abuja, unclassified telegram no. 1809, June 2002.

1006 Ministry of Families, Women, and Children, Combating Trafficking and Economic Exploitation of Children in Côte d’Ivoire, Abidjan, July 2001, Section II.
signed a bilateral agreement to curb the trafficking of Malian children into Côte d’Ivoire. The Government of Côte d’Ivoire has held discussions with Burkina Faso and Togo to establish similar agreements. The government has also undertaken several educational and training programs to discourage domestic trafficking and is now utilizing the police along the country’s borders to stop international trafficking.

The Government of Côte d’Ivoire has stated its support for efforts to combat the exploitation of children in the country’s cocoa sector. In a joint statement issued in November 2001, the government, along with industry and NGOs, committed to undertake collaborative efforts to eliminate the worst forms of child labor in the cocoa industry, and agreed to establish a joint foundation to oversee these efforts. A program funded by USDOL and the Cocoa Global Issues Group seeks to withdraw children from hazardous work in this sector, provide income generation and economic alternatives, and promote education. In addition, the USAID-supported Sustainable Tree Crops Program is incorporating child labor elements into its program and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in the cocoa sector. In July 2002, the International Institute of Tropical Agriculture (IITA) and national research collaborators completed a study of child labor in the cocoa industry in Cameroon, Côte d’Ivoire, Ghana, and Nigeria. A national survey of child labor in Côte d’Ivoire is currently in the preparation stages with technical assistance from ILO-IPEC’s SIMPOC.

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1007 Ibid. See also U.S. Embassy- Abidjan, unclassified telegram no. 2176, June 2001.
1008 U.S. Embassy- Abidjan, unclassified telegram no. 2176.
1009 Ibid.
1011 Signatories include the Association of the Chocolate, Biscuit and Confectionary Industries of the EU, the Chocolate Manufacturers Association of the USA, the World Cocoa Foundation, the Child Labor Coalition, Free the Slaves, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations, the National Consumers League and the Government of Côte d’Ivoire. See Government of Côte d’Ivoire, World Cocoa Foundation, and Child Labor Coalition, Joint Statement, November 30, 2001.
1012 ILO-IPEC, West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP), project document, RAF/02/P50/USA, Geneva, September 2002.
1014 The study was conducted with support from USAID, USDOL, World Cocoa Foundation, the ILO, and the participating West African governments, and was carried out under the framework of the Sustainable Tree Crops Program. Both quantitative and qualitative approaches using three different types of inter-related surveys were designed to collect data on child labor practices in the cocoa sector of West Africa. The surveys employed in the study were the Baseline Producer Survey, the Producer-Worker Survey, and the Community Survey. Producer-Worker Surveys and Community Surveys were conducted in Cote d’Ivoire. See International Institute of Tropical Agriculture, Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa: Cameroon, Côte d’Ivoire, Ghana, and Nigeria, IITA, July 2002.
1015 ILO official, electronic correspondence to USDOL official, August 28, 2002. The ongoing conflict in the country will likely slow progress on the project.
The Government of Côte d’Ivoire allocates more than 40 percent of its budget to education,\textsuperscript{1016} and in 1998, 59.5 percent of total public expenditure on education was devoted to primary education.\textsuperscript{1017} The government also has implemented a National Development Plan for Education, which calls for universal primary school education by 2010.\textsuperscript{1018}

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 40.3 percent of children ages 5 to 14 years in Côte d’Ivoire were working.\textsuperscript{1019} The disparity between rural and urban areas is significant: 56.8 percent of rural children ages 5 to 14 were working, compared to only 22.5 percent of urban children in this age group.\textsuperscript{1020} The majority of working children are found in the informal sector,\textsuperscript{1021} including on family farms and enterprises or working as vendors, carpenters, and automobile mechanics.\textsuperscript{1022} They also work in restaurants and cafes, shine shoes, run errands, watch cars, and wash car windows.\textsuperscript{1023}

Children have been trafficked within Côte d’Ivoire and into the country from Benin, Burkina Faso, Ghana, Guinea, Mali, Mauritania, Nigeria, and Togo to work as domestic servants, farm laborers, and indentured servants.\textsuperscript{1024} There have been reports that children have been engaged in forced labor on commercial farms harvesting cocoa,\textsuperscript{1025} cotton, corn, rice, and pineapples.\textsuperscript{1026} Other children have been engaged in forced labor in the country’s gold and diamond mines, and some


\textsuperscript{1019} Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Côte d’Ivoire, *Multiple Indicator Cluster Survey 2*, Abidjan, 2000, [cited December 10, 2002]; available from http://www.ucw-project.org/resources/.

\textsuperscript{1020} Ibid.


\textsuperscript{1023} U.S. Department of State, *Country Reports- 2001: Côte d’Ivoire*, 207-11, Section 6d. See also U.S. Embassy-Abidjan, *unclassified telegram no. 3470*.


\textsuperscript{1026} U.S. Embassy- Abidjan, *unclassified telegram no. 3470*.
work in sweatshop conditions in small urban workshops.\textsuperscript{1027} There have been reports of the trafficking of Nigerian girls into Côte d’Ivoire for the purpose of child prostitution.\textsuperscript{1028}

The recent IITA study on children working in the cocoa sector revealed that in Côte d’Ivoire most children work alongside their families.\textsuperscript{1029} Approximately 200,000 children in Côte d’Ivoire are involved in hazardous tasks that include spraying pesticides without protection, using machetes to clear undergrowth and carrying heavy loads.\textsuperscript{1030} Approximately one-third of children ages 6 to 17 years who live in cocoa producing households have never attended school.\textsuperscript{1031} Around 64 percent of the children are below the age of 14.\textsuperscript{1032} Although more than half of children working in cocoa farming are boys (59 percent),\textsuperscript{1033} the school enrollment rate for girls in the survey areas is lower than that for boys.\textsuperscript{1034} A minority of the children working in the cocoa sector in Côte d’Ivoire are engaged in full time work.\textsuperscript{1035} Most of these children come from outside the country’s cocoa zone, either from other regions of Cote d’Ivoire or from countries such as Burkina Faso.\textsuperscript{1036}

Primary education in Côte d’Ivoire is not compulsory.\textsuperscript{1037} As of the 2001–2002 school year, tuition fees for primary school students are waived.\textsuperscript{1038} However, parents must still pay an annual fee of 2,600 FCFA (USD 4.26) for each child’s enrollment in public secondary schools and a monthly fee

\begin{thebibliography}{9}
\item\textsuperscript{1027} Ibid.
\item\textsuperscript{1028} U.S. Department of State, \textit{unclassified telegram no. 177014}, October 2001.
\item\textsuperscript{1029} The Producer-Worker Survey revealed that 604,500 (96.7 percent) of the 625,100 working children in Cote d’Ivoire had a kinship relation to the farmer. See International Institute of Tropical Agriculture, \textit{Child Labor in the Cocoa Sector of West Africa: A synthesis of findings in Cameroon, Cote d’Ivoire, Ghana, and Nigeria}, August 2002, 15.
\item\textsuperscript{1031} International Institute of Tropical Agriculture, \textit{Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa}.
\item\textsuperscript{1032} Ibid.
\item\textsuperscript{1033} Ibid.
\item\textsuperscript{1034} Ibid.
\item\textsuperscript{1035} The Producer-Worker survey found that 5,120 children were employed as full-time workers in cocoa in Cote d’Ivoire versus 61,600 adults. See International Institute of Tropical Agriculture, \textit{Child Labor in the Cocoa Sector of West Africa: A synthesis of findings}, 12.
\item\textsuperscript{1036} The Community survey found that these children originated entirely from outside the Ivoirian cocoa zone: 59 percent were from Burkina Faso, while most of the remainder (24 percent of the total) were Baoule children originally from eastern Cote d’Ivoire. An intermediary was involved in the recruitment process for an estimated 41 percent of the full-time child workers. Of the children employed as full-time workers, 29 percent reported that they were not free to leave their place of employment should they wish to. See Ibid., 12-13.
\item\textsuperscript{1037} U.S. Department of State, \textit{Country Reports- 2001: Côte d’Ivoire}, Section 5.
\item\textsuperscript{1038} U.S. Embassy- Abidjan, \textit{unclassified telegram no. 3470}.
\end{thebibliography}
of 3,000 FCFA (USD 4.92) for transporting their secondary school children.\textsuperscript{1039} Parents also are responsible for buying books and school supplies.\textsuperscript{1040} However, in September 2002, the government undertook the responsibility of distributing free schoolbooks to 1.2 million students attending 4,500 primary schools in 94 sub-prefects.\textsuperscript{1041} In 1998, the gross primary enrollment rate was 77.9 percent, and the net primary enrollment rate was 59.2 percent.\textsuperscript{1042} A UNICEF study in 2000 indicated that 56.9 percent of Ivorian children ages 6 to 11 attend school and that 69.3 percent of children who enter Grade 1 actually reach Grade 5.\textsuperscript{1043} There is a disparity in primary school attendance between children in urban areas (66.5 percent) and rural areas (48.5 percent), as well as between boys (61.4 percent) and girls (51.8 percent).\textsuperscript{1044}

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years, even for apprenticeships, and prohibits children under 18 years from working more than 12 consecutive hours or at night.\textsuperscript{1045} Decree No. 96-204 also prohibits night work by children between 14 and 18 years, unless granted an exception by the Labor Inspectorate,\textsuperscript{1046} and Decree No. 67-265 sets the minimum age for hazardous work at 18 years.\textsuperscript{1047} The Minority Act requires parents or legal guardians to sign employment contracts on behalf of children under 16 years of age and to serve as witnesses to the signing for children between the ages of 16 and 18.\textsuperscript{1048} The Labor Inspectorate can require children to take a medical exam to ensure that they can undertake the work for which they are hired. If the child cannot perform the required tasks, the employer must move him/her to a suitable job, and if that is not possible, the contract must be cancelled.\textsuperscript{1049} Decree No. 96-193 restricts children from working in bars, hotels, pawnshops, and second-hand clothing stores.\textsuperscript{1050}

\textsuperscript{1039} Ibid. Currency conversion as of February 28, 2003.

\textsuperscript{1040} Ibid.

\textsuperscript{1041} These sub-prefectures represent approximately 50 percent of all sub-prefectures. See U.S. Department of State official, electronic communication to USDOL official, February 27, 2003.


\textsuperscript{1046} Decree No. 96-204, as cited in U.S. Embassy- Abidjan, *unclassified telegram no. 3470*. Employers found in violation of the night work prohibition are punishable with imprisonment from 10 days to two months and/or a fine ranging from 2,000 to 72,000 FCFA (USD 3 to 108). For currency conversion see FX Converter, [online] [cited October 2, 2002]; available from http://www.carosta.de/frames/convert.htm.


\textsuperscript{1049} *Code du travail*, 1995, Titre II, Chapter 3, Article 23.9.

\textsuperscript{1050} U.S. Embassy- Abidjan, *unclassified telegram no. 3470*. 
Forced or compulsory labor is prohibited,\footnote{Code du travail, 1995, “Dispositions Générales”, Article 3.} as is having sexual relations with a minor 15 years or younger.\footnote{The penalty for statutory rape or the attempted rape of children age 15 or younger is imprisonment for one to three years and a fine of 100,000 to 1,000,000 FCFA (USD 140 to 1,400). See U.S. Department of State, Country Reports-2001: Côte d’Ivoire, 202-07, Section 5. Persons convicted of procuring a prostitute under age 21 may be imprisoned for 2 to 10 years. See also UN Committee on the Rights of the Child, Initial Report of States Parties, Addendum: Côte d’Ivoire, para. 187.} In 1998, the government instituted measures against the statutory rape of students by teachers in order to combat low enrollment rates among girls.\footnote{U.S. Department of State, Country Reports- 2001: Côte d’Ivoire, 202-07, Section 5.} The child labor laws in Côte d’Ivoire apply to all sectors and industries in the country, although the lack of government resources makes them difficult to enforce in the informal sector and in the rural areas where most children work.\footnote{U.S. Embassy- Abidjan, unclassified telegram no. 3470.}


The Government of Côte d’Ivoire has not ratified ILO Convention 138 or ILO Convention 182.\footnote{U.S. Department of State, Country Reports- 2001: Côte d’Ivoire, 207-11, Section 6f.}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In October 1998, the Government of Croatia established the Council for Children as the national coordinating body of the National Programme of Action for Children. In May 2002, the National Commission on Trafficking in Persons met for the first time, and the government approved a National Strategy to Combat Trafficking on November 14, 2002.

Several NGOs are actively assisting children and ethnic minorities who were displaced or otherwise affected by the regional armed conflict in the early 1990s. UNICEF has education programs to improve curricula, train teachers, and address ethnic intolerance, in order to positively affect children’s school attendance, particularly in areas where Bosnian or Serbian refugees are returning home. The Government of Croatia signed the Agreement on Cooperation to Prevent and Combat Trans-border Crime with the Southeast European Cooperative Initiative. In addition, IOM maintains an office in Zagreb and has received funding to conduct regional anti-trafficking programs. The specific goals of the IOM program are to conduct research into the problem of trafficking, raise public awareness of the issue, and hold capacity-building programs for police and potential law enforcers.

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Croatia are unavailable. According to government officials, only a small number of children ages 15 to 18 years are employed, mainly in the textile and maritime industries. Reports indicate that Croatia is primarily a transit country but also a destination country for trafficking of children for prostitution. There were 19

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1065 UNICEF, Trafficking in Human Beings in Southeastern Europe, 117.
criminal offenses associated with commercial sexual exploitation of children in 1999.\textsuperscript{1066} According to research conducted by IOM between March and September 2001, 8 percent of the Croatian population surveyed responded that there was a case of prostitution of a foreign minor in their community; the largest percent who had heard about child prostitution in their community was in Slavonia, which borders Hungary, Former Republic of Yugoslavia, and Bosnia and Herzegovina.\textsuperscript{1067}

Education is free and compulsory in Croatia.\textsuperscript{1068} The Law of Primary Education (1990) requires eight years mandatory education for children to begin at 6 years of age.\textsuperscript{1069} Children generally finish compulsory education at age 14, but the minimum age for employment is 15.\textsuperscript{1070} In 1997, the gross primary enrollment rate was 91.3 percent, and the net primary enrollment rate was 84.1 percent.\textsuperscript{1071} Primary school attendance rates are unavailable for Croatia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1072} In general, primary school attendance is reported to be lower among ethnic Roma, many of whom do not go to school at all, or drop out around the second or third grade.\textsuperscript{1073} The Office for National Minorities has launched a special program for the inclusion of Roma children in the education system in Croatia.\textsuperscript{1074}

\textsuperscript{1066} Information about the origin of the victims is not specified. Davor Stier, Embassy of the Republic of Croatia, letter to USDOL official, October 10, 2000.

\textsuperscript{1067} From 1996-1998, Slavonia also had the largest number of international peacekeepers. UNICEF, \textit{Trafficking in Human Beings in Southeastern Europe}, 118.


\textsuperscript{1072} For a more detailed description on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{1074} Government of Croatia, \textit{National Report- 2000: Croatia}.  

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Child Labor Laws and Enforcement

The Labor Law (No. 758/1995) sets the minimum age for employment at 15 years, and children between ages 15 and 18 may only work with written permission from a legal guardian. The minimum work age is enforced by the Ministry of Labor and Social Welfare. According to stipulations in the Labor Law and the Occupational Safety and Health Act, children under age 18 are prohibited from working overtime, at night, under dangerous labor conditions, or in any other job that may be harmful to a child’s health, morality, or development.

The Constitution prohibits forced or bonded labor. There is no law specifically prohibiting trafficking of persons; however, trafficking can be prosecuted under existing laws on the Establishment of Slavery and Transportation of Slaves, the Illegal Transfer of Persons Across State Borders, and International Prostitution. The Criminal Code outlaws international prostitution, including solicitation of a minor, and prohibits procurement of minors for sexual purposes. The law also outlaws using children to make pornography. According to the Ministry of the Interior, from 1998 to 2000, the government prosecuted five persons under Article 175 and 21 persons under Article 178.


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1075 Children under age 15 may work or participate in artistic or entertainment functions (such as making movies) with special permission from the parent or guardian and the labor inspector, assuming that the work is not harmful to the child’s health, morality, education, or development. Croatia Labor Law (No. 758/95), Articles 14 (1) (2) and 15, [cited October 9, 2002]; available from http://natlex.ilo.org/txt/E95HRV01.htm.

1076 U.S. Department of State, Country Reports- 2001: Croatia, 1390-93, Section 6d.


1078 Constitution of the Republic of Croatia, Article 23. The penalty is imprisonment for six months to five years. See also Government of Croatia, Criminal Code, Article 175, (January 1, 1998), [cited December 26, 2002]; available from http://209.190.246.239/protectionproject/statutesPDF/CROATIA.pdf.


1080 The penalty for international prostitution involving a child or minor is imprisonment for one to ten years. The penalty for procuring a child is imprisonment for one to eight years. See Criminal Code, 1998, Articles 178 and 95.

1081 The penalty for exploiting children or minors for pornographic purpose is imprisonment from one to five years. The penalty for exposing a child to pornography will be a fine or imprisonment for up to one year. Ibid., Articles 196 and 97 as cited in Interpol, Legislation of Interpol member states on sexual offenses against children, [online] [cited August 19, 2002]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaCroatia.asp.

1082 The IOM reports that these cases involved 24 female victims of trafficking, two of whom were minors from Romania. Unofficial police estimates suggest the number of victims of trafficking could be 10-times higher than those officially recorded. See IOM Press Briefing Notes, electronic communication to USDOL official, June 14, 2002.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Czech Republic adopted a National Plan Combating Commercial Sexual Abuse in July 2000.\textsuperscript{1084} The plan addresses instances of sexual exploitation of children and features rehabilitation of victims of sexual crimes.\textsuperscript{1085} In 1998, the Government Council for Human Rights was established as the consulting and coordinating body of the government for human rights protection, including protection of the rights of the child.\textsuperscript{1086}

In 2001, the United Nations Office on Drugs and Crime funded a government project on trafficking in persons that aims to strengthen the government’s criminal justice response as well as protection and support to victims of trafficking.\textsuperscript{1087} In cooperation with the government, the IOM brings together officials from several countries to share methods to combat trafficking.\textsuperscript{1088} In 2001, the IOM cooperated with the government to introduce an informational program into secondary schools curriculum, where teachers discuss trafficking issues with students in order to raise awareness about potential vulnerability to the crime.\textsuperscript{1089}

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\textsuperscript{1084} U.S. Embassy- Prague, unclassified telegram no. 2689, October 2002.
\textsuperscript{1089} As part of the anti-trafficking program, an educational video was co-produced by IOM and Czech Television, in cooperation with the Ministry of Education, Youth and Sport and the Ministry of the Interior. NEWW/WEW Information Campaign/ Czech Republic — IOM info campaign, [list serve online] March 8, 2001 [cited November 14, 2002]; available from http://lists.partners-intl.net/pipermail/women-east-west/2001-March/000819.html.
\end{flushright}
**Incidence and Nature of Child Labor**

Statistics on the number of working children below the age of 15 years in the Czech Republic are unavailable. The popular press has cited incidents of child sexual exploitation in recent years, and government reports indicate that child prostitution is a present and growing problem.\(^{1090}\) Czech girls were trafficked for the purpose of prostitution to Germany and other European countries, and girls from the former Soviet Union, Africa, Asia, and the Middle East are trafficked to the Czech Republic for sexual exploitation. Trafficking of Czech girls also occurs internally.\(^{1091}\)

Education is compulsory and free for citizens.\(^ {1092}\) Compulsory school attendance lasts nine years in accordance with an amendment of the Education Act No. 138/1995.\(^ {1093}\) In 1998, the gross primary enrollment rate was 103.5 percent, and the net primary enrollment rate was 89.8 percent.\(^ {1094}\) Ethnic Roma children attend school less regularly, and disproportionately attend “special schools” for mentally disabled or socially maladjusted individuals.\(^ {1095}\)

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 15 years and requires that youth between the ages of 15 and 18 years receive special care and protection.\(^ {1096}\) Overtime and night work is prohibited for minors, except for children over 16 years of age, who may work for one hour past the normal daytime hours.\(^ {1097}\) Forced labor or service is prohibited in the Charter of Fundamental

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\(^{1095}\) According to unofficial government estimates, 60 percent or more of pupils placed in special schools are Roma, although Roma constitute less than 3 percent of the population. Language and cultural barrier frequently impede the integration of Roma children into the education system; less than 20 percent of the Roma population complete ninth grade. See U.S. Department of State, *Country Reports- 2001: Czech Republic*, 1414-20, Section 5.

\(^{1096}\) The minimum age is established in Section 11 of the 1965 Labor Code. The exception to the minimum age law applies to special schools for children with disabilities, whose graduates may be employed at age 14. Additional protections for children are established under Sections 165, 166, and 167 of the Labor Code. See the *Labour Code No. 65/1965*, [cited September 6, 2002]; available from http://www.czech.cz/index.php?section=6&menu=4. Supplementary Decree no. 261/1997 lists workplaces in which minors must not work and conditions that must be met when exceptions are permitted because such work is necessary for a minor’s apprenticeship and job training. See U.S. Embassy- Prague, *unclassified telegram no. 2689*.

\(^{1097}\) *Labour Code No. 65/1965*, Section 166.
Rights and Freedoms. In 2000, legislation was enacted that excluded minors from military services. In that same year, a Law on Social Protection of Children came into force that enhances protection of children in accordance with the Convention on the Rights of the Child.

The Criminal Code makes the trafficking of women and children for sexual purposes a criminal offense and prison sentences for trafficking a minor range from three to eight years. The Criminal Code also prohibits procurement of a child under age 18 years for sexual relations; the imprisonment term for violators is 5 to 12 years for offenses against children under age 15. In July 2002 amendments to the Criminal Code and the Criminal Procedure Act came into force that harmonize Czech law with that of the European Union and incorporate the Optional Protocol to the Convention on the Rights of the Child addressing trafficking in children, child prostitution and child pornography into Czech law.

Enforcement of child labor laws is carried out through workplace inspections and monitored jointly by the Ministry of Health and the Ministry of Labor and Social Affairs. The law requires labor offices throughout the country to carry out thousands of inspections and investigations a year. In 2002, an official with the Ministry of Labor and Social Affairs reported that there have been no registered violations of child labor laws or working conditions of minors in the last 12 years. The government is making an effort to increase enforcement of legislation regarding child sexual exploitation. In June 2002, Czech police conducted a raid on the Krasna Lipa brothel in northern Bohemia; of 12 women found, two were 17 years old. Five men were arrested and face up to eight years on charges of procuring and trafficking of women.


1098 Charter of Fundamental Rights and Freedoms, Article 9.
1099 U.S. Embassy- Prague, unclassified telegram no. 2689.
1100 The law also strengthens protection for children against pornography, violence, gambling, and sexual abuse. See Ibid.
1102 If such an offense is committed against a person between the ages of 15 and 18, the penalty is two to eight years imprisonment. See Ibid., Articles 204 and 05.
1103 U.S. Embassy- Prague, unclassified telegram no. 2689.
1104 Ibid.
1105 See U.S. Embassy- Prague, unclassified telegram no. 2180, August 2002.
Djibouti

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Djibouti supports several small programs to encourage children to attend school, including the Ministry of Labor’s “War on Poverty.”\footnote{U.S. Embassy- Djibouti, \textit{unclassified telegram no. 1503,} August 2000.} The government has translated the Convention on the Rights of the Child, which includes provisions on child labor, into the national languages (Afar, Somali) and integrated elements of the Convention into the national school curriculum. Furthermore, the government has promoted the Convention by publishing a brochure for children in French.\footnote{ECPAT International, \textit{Djibouti,} in ECPAT International, [database online] [cited August 9, 2002]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/} With assistance from the National Education Centre for Research and Pedagogical Information and UNICEF, the government has produced a handbook on the provisions of the Convention on the Rights of the Child, including guidelines for how primary school teachers can integrate the articles of the Convention into their lessons. This collaboration has enabled the government to produce radio broadcasts in four languages on the advancement of girls.\footnote{Ibid.}


Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Djibouti are unavailable. Information on the incidence of children’s work is limited, although reports indicate that child labor exists, primarily in informal economic activities.\footnote{U.S. Embassy- Djibouti, \textit{unclassified telegram no. 1503.} See also UN Committee on the Rights of the Child, \textit{Initial Reports of States Parties due in 1993,} CRC/C/8/Add.39, prepared by Government of Djibouti, pursuant to Article 44 of the Convention on the Rights of the Child, August 1998, para.144-45.} In rural areas, children perform unpaid labor on family farms; in urban areas, children often work in small-scale family businesses, trade, catering or craft sectors, or as domestic servants.\footnote{UN Committee on the Rights of the Child, \textit{Initial Reports of States Parties,} paras. 144-45.} Children displaced from Ethiopia, Eritrea and Somalia seek work in the informal sector in Djibouti’s cities as shoe polishers, street peddlers,
money changers, or as beggars. Child prostitution reportedly is increasing, particularly among refugee street children in the capital city. Education is free and compulsory between the ages of 6 and 16. Although education is free, there are additional expenses (e.g., transportation and books) that often prohibit poor families from sending their children to school. In 1998, the gross primary enrollment rate was 38.8 percent, and the net primary enrollment rate was 31.9 percent. Both gross and net enrollment rates are lower for girls than for boys. Primary school attendance rates are unavailable for Djibouti. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years. Night work is prohibited for children under the age of 16, and the hours and conditions of work by children are regulated. Forced labor of children is also prohibited. The Penal Code criminalizes prostitution. The authority to enforce child labor laws and regulation rests with the Police Vice Squad “Brigade Des Moeurs” and the local gendarmerie. Child labor offences fall under the Criminal Code with the first offence being punishable by fine and the second offence punishable by

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1119 In 1998, the gross primary enrollment rate was 32.0 percent for girls and 45.6 percent for boys. The net primary enrollment rate was 26.6 percent for girls and 37.1 percent for boys. Ibid.

1120 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

1121 See ILO, *The Effective Abolition of Child Labour: Djibouti*. The government is currently drafting a new Labor Code that will raise the minimum age for employment from age 14 to 16. See U.S. Embassy- Djibouti, *unclassified telegram no. 1503*.


1124 ECPAT International, *Djibouti*.

1125 U.S. Embassy- Djibouti, *unclassified telegram no. 1072*. 
a jail sentence. However, no incidents of child labor violations have been brought before the judicial system to date.\textsuperscript{1126}

The Government of Djibouti has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{1127}

\begin{itemize}
\item \textsuperscript{1126} Ibid. There is reported to be a shortage of labor inspectors, which may contribute to the lack of reported child labor violations. See also U.S. Department of State, \textit{Country Reports- 2001: Djibouti}, 221-22, Section 6d.
\end{itemize}
Dominica

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

From 1996 to 2001, the Government of Dominica implemented a five-year Basic Education Reform Project with assistance from the World Bank. The project focused on strengthening management and planning at the Ministry of Education, and improving the quality of basic education by upgrading teacher training, improving school supervision, curriculum reform, establishing testing mechanisms to monitor student and system performance, and the identification of more cost effective methods for selecting, acquiring and distributing educational materials.

In 1999, an Education Development Plan was formulated with participation from both public and private sector stakeholders. The Plan, which was revised in 2001, sets forth action plans including the development of a national curriculum and continued national assessment; increasing literacy, numeracy, scientific skills for all learners; ensuring computer literacy in schools; and strengthening the role of civil society in planning, implementing and evaluating educational reform.

From 1999 to 2000, the Government of Dominica also participated in a project with the Canadian Teachers’ Federation to strengthen national teacher organizations, and train educators in leadership skills and new teaching methodologies. The Canadian Government’s Eastern Caribbean Education Reform Project provided assistance to the Government of Dominica to develop more effective supervision and support services at the school level.

Incidence and Nature of Child Labor

Statistics on the number of working children below the age of 15 in Dominica are unavailable. However, some children help their families on a seasonal basis in agriculture, and it was reported that Dominica is a country of origin and transit for the trafficking of children en route from the Dominican Republic to Saint Martin.
Under the Education Act of 1997, schooling is compulsory from ages 5 to 16. In 2002, the gross primary enrollment rate was 92.7 percent, and the net primary enrollment rate was 89.9 percent. Primary school attendance rates are unavailable for Dominica. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Poor physical conditions and overcrowded classrooms affect the quality of education, while poverty, the need for children to help with seasonal harvests, and the termination of a school lunch program have negatively affected school attendance.

**Child Labor Laws and Enforcement**

The minimum age for employment is 15 years. The Employment of Women, Young Persons and Children Act places restrictions on the employment of young persons at night. There are no laws that specifically prohibit trafficking in persons or child pornography, but the Sexual Offenses Act of 1998 prohibits prostitution. The Sexual Offenses Act also prohibits the defilement of girls under 16, unlawful detention of a women or girl for sexual purposes, and the procurement of any person using threats, intimidation, false pretenses or the administration of drugs. The Constitution prohibits slavery, servitude and forced labor.


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1134 Thomas, facsimile communication, August 22, 2002.
1135 Ibid.
1136 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
1140 U.S. Department of State, Country Reports- 2001: Dominica, 2763-64, Section 6f.
1142 These provisions are found in Articles 2, 3, 4, and 7 of the Sexual Offenses Act. See Interpol, Legislation of Interpol Member States on Sexual Offences Against Children: Dominica, Interpol.int, [online] [cited August 21, 2002], III; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaDominique.asp.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Dominican Republic has been a member of ILO-IPEC since 1997. In December 1998, a two-year pilot project was launched to eliminate and prevent child labor in Constanza, followed by a USDOL-funded ILO-IPEC project in September 2001 to make Constanza the first municipality free of child labor. The Dominican Republic is currently participating in two ILO-IPEC regional projects funded by USDOL to combat child labor in the coffee and tomato sectors. With funding from USDOL and technical assistance from ILO-IPEC’s SIMPOC, the Ministry of Labor also conducted a national child labor survey in 2000-2001. As part of USDOL-funded preparatory activities for the ILO-IPEC Time-Bound Program, a pilot model to combat commercial sexual exploitation is underway in Boca Chica, and several baseline studies and rapid assessments are being conducted in rural and urban sectors.  

In April 2002, ILO-IPEC carried out a study on child domestic work. With other donor funding, ILO-IPEC is carrying out a project in Santo Domingo and Santiago aimed at raising awareness of, collecting information on, and providing direct attention to children involved in domestic work in the homes of third parties. The Dominican Republic’s national Time-Bound Program to eliminate the worst forms of child labor within a specific timeframe began in September 2002, and will target children working under hazardous conditions in agriculture, in the informal urban sector, and commercial sexual exploitation. The Government of the Dominican Republic, especially the Ministry of Labor, has been supportive of these efforts to combat child labor through its political and financial commitments.

1152 ILO official, electronic communication to USDOL official, September 16, 2002.  
1154 Ibid., 2, 7. See also U.S. Embassy- Santo Domingo, *unclassified telegram no. 0292*.  

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launched a nationwide public campaign, including television and radio spots, and the distribution of calendars and buttons, in order to raise awareness on the harmful and negative effects of child labor.\textsuperscript{1155}

In 1996, the Inter-institutional Commission to Prevent and Eliminate Commercial Sexual Exploitation in Tourist Areas was created. The National Steering Committee for the Elimination of Child Labor was formed in March 1997.\textsuperscript{1156}

Since 1992, government policy on education has been coordinated through its Ten-Year Education Plan,\textsuperscript{1157} which had some notable achievements in improving basic education coverage, increasing enrollment in pre-school and secondary education, and decreasing the drop-out rate.\textsuperscript{1158} Currently, the government is developing its new Ten-Year Education Plan, which will support ongoing efforts to improve access, retention, and the quality of education.\textsuperscript{1159} The Ministry of Education will also be expanding the Innovative Multi-Grade School Project to provide instruction to children in two or more grades in one classroom, which was funded by UNICEF in 1999, with support from UNICEF, the IDB, and Plan International.\textsuperscript{1160} In 1995, the World Bank, IDB, and local contributors funded the Basic Education Improvement Project to improve school infrastructures, expand school nutrition programs, train teachers, and improve monitoring and evaluation in the education sector.\textsuperscript{1161} In addition, to increase access to pre-schools, the World Bank approved a USD 42 million loan to increase the number of pre-schools and provide teacher training.\textsuperscript{1162} In January

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\textsuperscript{1155} Government of the Dominican Republic, \textit{Informe Sobre los Esfuerzos de Nuestro Pais para Eliminar las Peores Formas del Trabajo Infantil}, 6, 7.


\textsuperscript{1157} The main goal of the Ten-Year Education Plan (PDE) was to increase access to quality education by reforming curricula, improving teaching conditions, increasing community participation in education, enacting a new education law, and increasing resources for education. See ILO-IPEC, \textit{Elimination of the Worst Forms of Child Labour, project document}, 7.


\textsuperscript{1159} ILO-IPEC, \textit{Timebound Program, project document}, 8.

\textsuperscript{1160} \textit{Proyecto Escuela Multigrado Innovada} is aimed at rural schools where the numbers of children do not necessarily justify the construction of additional classrooms. Under this program, teachers will be able to provide instruction to children in two or more grades in one classroom. This program has allowed many schools that only counted with the first basic education cycle (of four years) to complete the second basic education cycle in order to offer the 8-year compulsory grades. The result has been that more children have continued their education instead of leaving school due to the distance of the assigned schools. See Ibid. See also Secretary of Education of the Dominican Republic and Fundación Volvamos a la Gente, \textit{Síntesis de Resultados, Proyecto: Escuela Multigrado Innovada}, UNICEF, 1. See also Inter-American Development Bank, \textit{Basic Education Project III}.


2002, the IDB approved an additional education program to provide USD 54 million to improve coverage of the second cycle of basic education, introduce better pedagogic methodologies in multi-grade schools, increase the internal efficiency of basic education, expand the hours of schooling, and modernize the training of basic education teachers.\textsuperscript{1163}

**Incidence and Nature of Child Labor**

In 2000-2001, the Ministry of Labor, in collaboration with the ILO-IPEC’s SIMPOC program carried out a national child labor survey. According to the survey results, released in October 2001, 17.7 percent (428,720 children) of children ages 5 to 17 years in the Dominican Republic were working.\textsuperscript{1164} Children work as agricultural workers, street vendors and shoe shiners, and domestic servants.\textsuperscript{1165} Haitian children work on sugarcane farms in the Dominican Republic, particularly in the Barahona province.\textsuperscript{1166} Children also work as domestic servants in homes of third parties.\textsuperscript{1167} Children from poor families are adopted into others’ homes, often serving under a kind of indentured servitude.\textsuperscript{1168}

The commercial sexual exploitation of children is reported to be a problem in urban areas, as well as in tourist locations throughout the country.\textsuperscript{1169} According to a study sponsored by UNICEF and the National Planning Office in 1999, 75 percent of minors involved in prostitution were working in brothels, discos, restaurants, and hotels.\textsuperscript{1170} There are reports that women and children are trafficked to, from, and within the Dominican Republic particularly for the purpose of

\textsuperscript{1163} Inter-American Development Bank, *Basic Education Project III*.


\textsuperscript{1165} Almost three quarters of working children are boys, and more children work in urban areas than in rural areas. See ILO-IPEC, *Elimination of the Worst Forms of Child Labour, project document*, 1, 7.

\textsuperscript{1166} Agustin Vargas-Saillant, Domingo Jimenez, and Rufina Alvarez, Unitary Confederation of Workers (CTU and Futrazona), Dominican Republic, interview with USDOL official, August 29, 2000. See also U.S. Department of State, *Country Reports- 2001: Dominican Republic*, 2779-83, Section 6d. See also U.S. Embassy- Santo Domingo, unclassified telegram no. 3869, October 2002.

\textsuperscript{1167} ILO-IPEC, *Esto no es un juego: Un estudio exploratorio*.

\textsuperscript{1168} They work long hours under the threat of punishment, in agriculture, domestic service, or industry. Some, especially the girls, are sexually abused. See U.S. Department of State, *Country Reports- 2001: Dominican Republic*, 2779-83, Section 6c.


prostitution. The Directorate of Migration has estimated that approximately 400 rings of alien smugglers, traffickers, and purveyors of false documents operate within the country. Haitian children are reportedly trafficked to the Dominican Republic to work as shoe-shiners, street vendors, in agriculture, and to beg in the streets.

Basic education is free and compulsory between the ages of 5 and 14 years. In 1997, the gross primary enrollment rate was 101.9 percent and the net primary enrollment rate was 84.3 percent. In 1999, the repetition rate was 5.6 percent and the drop-out rate was 14.4 percent for children enrolled in grades one to eight. Primary school attendance rates are unavailable for the Dominican Republic. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In rural areas, schools often lack basic furnishings and teaching materials, and schools are far from children’s homes. In many cases, school fees and the cost of uniforms, books, meals, and transportation make education prohibitively expensive for poor families.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, and places restrictions on the employment of youth between the ages of 14 and 16. Youth under 16 may not work more than six hours a day, and must have a medical certificate in order to work. They are restricted from performing night work and from working more than 12 hours daily. Youth under 16 are also prohibited from performing ambulatory work, delivery work, or work in establishments that serve

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1171 U.S. Department of State, Country Reports- 2001: Dominican Republic, 2777-83, Sections 5, 6f. See also U.S. Department of State, Trafficking in Persons Report: Dominican Republic, 44.
1176 Ibid.
1177 ILO-IPEC, Elimination of the Worst Forms of Child Labour, project document, 6.
1178 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
1179 ILO-IPEC, Elimination of the Worst Forms of Child Labour, project document, 7. See also ILO-IPEC, Timebound Program, project document, 13.
1180 Código de Trabajo de la República Dominicana 1999, Articles 245, 46.
1181 Permission is needed from both the mother and father. If this is not possible, then authorization can be gained from the child’s tutor. If there is no tutor, authorization can be granted by a judge from the child’s area of residence. See Ibid., Artículos 247, 48. See also Secretary of State of Labor, Preguntas y Respuestas, [online] [cited December 10, 2002]; available from http://www.set.gov.do/preguntas/menor.htm.
alcohol. \footnote{Código de Trabajo 1999, Articles 246, 49.} Article 254 of the Labor Code requires employers to ensure that minors may continue their schooling. \footnote{Ibid., Article 254.}

Forced labor is prohibited under the law. \footnote{U.S. Department of State, \textit{Country Reports- 2001: Dominican Republic}, 2779-83, Section 6c.} The Code of the Minor criminalizes child prostitution and child pornography. \footnote{U.S. Embassy- Santo Domingo, \textit{unclassified telegram no. 3141}, August 2000.} The Penal Code prohibits trafficking in persons for the purpose of prostitution, but does not include other severe forms of trafficking. \footnote{U.S. Department of State, \textit{Trafficking in Persons Report: Dominican Republic}, 44.} The law imposes fines and imprisonment of 2 to 10 years for traffickers involved in promoting prostitution. \footnote{U.S. Embassy- Santo Domingo, \textit{unclassified telegram no. 3869}.} A migrant smuggling law can be used to prosecute traffickers. \footnote{U.S. Embassy- Santo Domingo, \textit{unclassified telegram no. 3919}.}

The Ministry of Labor is responsible for enforcing child labor laws. \footnote{U.S. Department of State, \textit{Country Reports- 2001: Dominican Republic}, 2779-83, Section 6f.} In 2000, the Government of the Dominican Republic had approximately 232 labor inspectors charged with enforcement of the minimum wage, child labor laws, and health and safety legislation. Article 720 of the Labor Code imposes penalties on child labor violators, which include fines and jail sentences. \footnote{U.S. Embassy- Santo Domingo, \textit{unclassified telegram no. 2499}, June 2000.} The Ministry of Labor has taken employers in violation of the law to court. \footnote{U.S. Embassy- Santo Domingo, \textit{unclassified telegram no. 3869}.} Also, the Ministry of Labor has held seminars for labor inspectors and municipal Ministry of Labor representatives throughout the country in order to educate them on child labor laws and enforcement. \footnote{ILO, \textit{Ratifications by Country}, in ILOLEX, [database online] [cited September 8, 2002]; available from http://ilolex.ilo.ch:1567/english/newratframeE.htm.}

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**Ecuador**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Ecuador has been a member of ILO-IPEC since 1997. In 2002, with technical assistance from ILO-IPEC and funding from USDOL, Ecuador began preparatory activities for a Time-Bound Program to eliminate the worst forms of child labor in the country within a determined period of time. The government has also completed the collection of field data for a national child labor survey with technical assistance from ILO-IPEC’s SIMPOC, and is finalizing the report. In 2000, a USDOL-funded ILO-IPEC regional program was established in Ecuador, along with Bolivia and Peru, to prevent and progressively eliminate child labor in small-scale traditional gold mining. A two-year, second phase of this project was funded in September 2002.

With assistance from ILO-IPEC, the government has also instituted several sector-specific programs to study and combat child labor. Programs have been established to combat child labor in the brick making industries of Quito and Cuenca, the garbage dumps of Santo Domingo de los Colorados, and in the country’s cut flower industry. The Government of the Netherlands is funding a research project that investigates the factors and conditions that lead to the commercial sexual exploitation of children and adolescents.

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1196 ILO-IPEC official, electronic communication to USDOL official, August 28, 2002.

1197 The program consists of awareness-raising campaigns, baseline studies of child labor in traditional mining, training programs for governmental and nongovernmental workers and employer service providers, promulgation of national policies on child labor in traditional mining activities, development of national networks focused on child labor in mining, and local action plans to withdraw children from hazardous mining tasks. See ILO-IPEC, *Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America*, project document, LAR/00/05/050, Geneva, May 2000, 10-11.


In July 2002, the Ministry of Labor signed an agreement with the banana industry and various national and international organizations to eradicate child labor (for children under the age of 15) from banana plantations by August 2003. In 2001, the Government of Ecuador established a Technical Secretariat for the National Committee for the Progressive Eradication of Child Labor (CONEPTI). CONEPTI was a key participant in the ongoing development of the second National Plan to Eliminate Child Labor (2003-2006), and has coordinated and participated in tripartite meetings to define the worst forms of child labor.

In 2002, the government created the National Council on Children and Adolescents by executive decree. The Council is responsible for creating, planning and carrying out national policy on child and adolescent issues in Ecuador. The National Child and Family Institute (INNFA) implements an education program that reintegrates working children and adolescents who are between the ages of 8 and 15 into the school system so that they may complete the basic education cycle. INNFA is also developing a System of Social Indicators that will be used to define public policy to benefit children and adolescents. The Ministry of Education, Culture, Sports and Recreation has developed a USD 14 million project that includes training in sustainable production for working children between the ages of 12 and 15 who are enrolled in the public school system.

In conjunction with the World Food Program, the Ministry also provides nutritional supplements to students of low-income families at public primary schools throughout the country. In 1998, the Inter-American Development Bank (IDB) approved a loan of USD 45 million to the Government of


1202 The Secretariat is responsible for determining CONEPTI’s structure, functions and financing. The original Committee, created in July 1997, was fraught with political instability, due in part to changes in government, and met infrequently. See ILO-IPEC, Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America, technical progress report, LAR/00/05/050, Geneva, September 12, 2001, 4.

1203 ILO-IPEC, Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America, technical progress report, LAR/00/05/050, Geneva, September 2, 2002, 2.

1204 Ibid.


Ecuador for a project to grant autonomy to approximately 20 percent of rural schools to improve management of resources and teaching conditions in rural basic education.  

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 4.3 percent of children ages 5 to 14 years in Ecuador were working. The majority of working children are found in rural areas of the sierra, with the next most problematic regions being the Amazon and urban coastal areas.  

Many parents have emigrated abroad in search of work and have left their children behind, which has led to an increase in child labor. Similarly, the migration of the rural poor to cities has increased the incidence of child labor in urban areas. In rural areas, young children are often found performing unpaid agricultural labor for their families. In urban areas, children work in manufacturing, commerce and services, such as automobile repair and domestic service. Many urban children under 12 years of age work in family-owned businesses in the informal sector, including shining shoes, collecting and recycling garbage, selling, and begging on the streets.

The commercial sexual exploitation of children occurs in Ecuador, and there were reports in 2002 that it may be on the rise. There have been reports of cases in which children have been forced into prostitution. Ecuador is a country of origin for the trafficking of women and

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1211 ILO-IPEC, “Mintrabajo e INNFA presentan resultados preliminaries de Encuesta Nacional.”


1214 Ibid.


children for commercial sexual exploitation. Information gathered in 1999 reveals that a trafficking ring exists that offers young indigenous people and their families USD 6,000 to work as domestic servants or Spanish teachers in Japan. Children are transported by cruise ship to Japan and are then forced into the sex industry. Other sources report that indigenous children have been trafficked to Venezuela and Uruguay to sell handicrafts or to beg on the streets.

The Constitution requires that all children attend school until they achieve a “basic level of education,” which usually encompasses nine school years. The government does not enforce this requirement due to the lack of schools and inadequate resources in many rural communities, as well as the pervasive need for children to contribute to the family income. In 1998, the gross primary enrollment rate was 113.1 percent, and the net primary enrollment rate was 96.7 percent. A 1999 study indicated that one child out of every three does not complete grade six. Primary school attendance rates are unavailable for Ecuador. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The Constitution dictates that 30 percent of the public budget must be reserved for education expenses, yet only half of that percentage is actually spent on education. In 2001, government spending on education continued to decline, both as a proportion of GDP and in real terms. Families often face significant additional education-related expenses such as fees and transportation costs.

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1221 U.S. Department of State- Quito, unclassified telegram no. 3265.


1223 World Bank, World Development Indicators 2002.

1224 U.S. Department of State- Quito, unclassified telegram no. 3265. See also U.S. Department of State, Country Reports- 2001: Ecuador, 2791-93, Section 5.

1225 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


1227 Ibid.

1228 U.S. Department of State- Quito, unclassified telegram no. 3265.
Child Labor Laws and Enforcement

The Childhood and Adolescence Code, modified in January 2003, sets the minimum age for all employment, including domestic service, at 15 years. The minimum age does not apply to children involved in formative cultural or ancestral practices as long as the children are not exposed to physical, psychological or cultural harm. The Childhood and Adolescence Code prohibits adolescents from working more than six hours per day or 30 hours per week. The Code also prohibits adolescents from working in mines, garbage dumps, slaughterhouses, and quarries. According to the Labor Code, which has not been updated to reflect Ecuador’s adoption of ILO Conventions 138 and 182, minors under 18 years are prohibited from engaging in night work, and children under 15 may not work aboard fishing vessels, except with special permission from the court, during school vacation, and as long as the work is not likely to harm their health and moral development.

The 1998 Constitution specifically calls for children in Ecuador to be protected in the work place against economic exploitation, dangerous or unhealthy labor conditions, and conditions that hinder a minor’s personal development or education. Minors are also protected against trafficking, prostitution, and the use of illegal drugs and alcohol. The Penal Code explicitly defines and prohibits exposing children to pornography, promoting and facilitating prostitution, and trafficking. Adults convicted of promoting or engaging children in such activities may be sentenced from one to nine years in jail. The Childhood and Adolescence Code prescribes sanctions against violators of the code, such as monetary fines and the closing of establishments where child labor occurs. In June 2000, the Criminal Code was amended to strengthen sentences for furnishing or utilizing false documents and for smuggling of non-citizens.

No single government authority is responsible for the implementation of child labor laws and regulations prohibiting the worst forms of child labor. Public institutions charged with enforcing child labor laws include the Ministry of Labor, Ministry of Social Welfare, and Minors’ Tribunals. The Ministry of Labor has created a Social Service Directorate to monitor and control child labor in the formal sector; however, most child laborers are found in the informal sector, where monitoring

1230 Ibid., Article 86.
1231 Ibid., Article 84.
1232 Ibid., Article 87.
1234 U.S. Department of State- Quito, unclassified telegram no. 3265.
1236 Código de la Niñez y Adolescencia, Chapter IV, Article 95.
is difficult. In some instances, the Directorate has applied sanctions, but in others, it has merely helped to provide work authorization documents to child workers.\[1238\]

The Government of Ecuador ratified ILO Convention 138 and ILO Convention 182 on September 19, 2000.\[1239\]

\[1238\] U.S. Department of State-Quito, *unclassified telegram no. 3265*. It is reported that in the banana regions, the regional Labor Inspectorate (responsible for ensuring that employers comply with labor laws) relies heavily on complaints of child labor law violations because its resources do not allow for meaningful preventative inspections. Human Rights Watch, *Comments Regarding Efforts by Ecuador to Eliminate the Worst Forms of Child Labor*, 5. Law enforcement authorities are reportedly complicit in the commercial sexual exploitation of children, which has added to perpetuating this problem. See ECPAT International, *Ecuador*.

Egypt

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Egypt has been a member of ILO-IPEC since 1996.\textsuperscript{1240} The Ministry of Labor and Employment established a national plan to combat child labor in 1995. This plan proposed education and vocational training programs, income-generating activities for families, and training on child labor issues for labor inspectors, government officials, and NGO staff members.\textsuperscript{1241} ILO-IPEC and the government have collaborated on several initiatives to combat child labor, including a direct action program to contribute to the progressive elimination of child labor in leather tanneries, pottery kilns, and other hazardous industries.\textsuperscript{1242} Other ILO-IPEC efforts involve public awareness raising, capacity building, and interventions, including a community project that withdraws children from hazardous work in auto repair workshops, and textile and plastics factories.\textsuperscript{1243} In 2000, the government established a Child Labor Unit (CLU) within the Ministry of Manpower (MOM) to inspect child labor sites.\textsuperscript{1244} ILO-IPEC, U.S. Customs Service and the Arab Labor Organization (AOL) provide technical assistance to the CLU.\textsuperscript{1245} The National Council for Children and Motherhood is a national coordinating body for agencies promoting the protection of mothers and children, and is working with various research institutions to study and propose specific programs to eliminate child labor.\textsuperscript{1246}


\textsuperscript{1242} ILO-IPEC official, electronic communication to USDOL official, January 7, 2002.

\textsuperscript{1243} U.S. Embassy- Cairo, \textit{unclassified telegram no. 6469}, October 2001.

\textsuperscript{1244} Ibid.

\textsuperscript{1245} Ibid. See also U.S. Embassy- Cairo, \textit{unclassified telegram no. 8087}, December 2001.

\textsuperscript{1246} Under the guidance of First Lady Suzanne Mubarak, the National Council is focusing in particular on the areas of social welfare, health, education, and social protection. The Council includes active participation by the Ministers of Social Affairs, Health, Culture, Education, Manpower and Vocational Training, Planning, and Information; the chairman of the High Council for Youth and Sports; and the First Lady. U.S. Embassy- Cairo, \textit{unclassified telegram no. 6469}. See also UN Convention on the Rights of Children, \textit{Consideration of Reports: Egypt}, para. 205.
The Ministry of Social Affairs established the Mubarak Program for Social Cooperation in 1996 to provide grants to school children in an effort to offset school fees and indirect costs of schooling and to promote school attendance. School grants are provided through the Ministry of Social Affairs to school children whose families earn less than 100 Egyptian pounds (USD 29.47) per month. During 1996-1997, about 169,000 children received grants, either in-kind or cash, to cover the costs of school uniforms, books, supplies, and school fees. The average annual grant per child was 14.17 Egyptian pounds (USD 4.17). Grants fall well short of the estimated costs of sending children to school, where average primary school fees range from 11.35 to 15.85 pounds (USD 2.50 to 3.40). The Ministry of Education estimates that the average annual cost paid by poor families for primary school education amounts to 348 pounds (USD 102.56 in September 1997) per child. 

Egypt was the first country officially to join the UN Girls’ Education Initiative. In 1992, UNICEF launched the Girl Child Initiative with the Community Schools Programme. Through the construction and renovation of 818 classrooms, USAID has funded a New Schools Program that targets girls between the ages of 6 and 14 years, who have never attended school, or who have dropped out. The Center for Development and Population Activities initiated a number of activities to expand education to girls through scholarships and other incentives for those not enrolled in formal education. In 2002, an initiative for boys was also launched. By building new schools within walking distance of homes, increasing the number of female teachers, and providing grants, uniforms, and meals to children at school, enrollment and attendance has improved.

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1247 Nadia Ramsis Farah, *Child Labour in Egypt within the Context of CRC*, UNICEF, Cairo, June 1997, 27. School grants are provided through the Ministry of Social Affairs to school children whose families earn less than 100 Egyptian pounds (USD 29.47) per month. During 1996-1997, about 169,000 children received grants, either in-kind or cash, to cover the costs of school uniforms, books, supplies, and school fees. The average annual grant per child was 14.17 Egyptian pounds (USD 4.17). Grants fall well short of the estimated costs of sending children to school, where average primary school fees range from 11.35 to 15.85 pounds (USD 2.50 to 3.40). The Ministry of Education estimates that the average annual cost paid by poor families for primary school education amounts to 348 pounds (USD 102.56 in September 1997) per child. Farah, *Child Labour in Egypt within the Context of CRC*, 26-27. For currency conversion, see FX Converter, [online] [cited August 13, 2002]; available from http://www.oanda.com/convert/classic.

1249 Among the activities, the Government has promoted one-room schools, encouraged private spending on education, provided meals, upgraded schools with computers, and launched an Adopt-a-School program. See Hussein Kamel Bahaa El Din, Egyptian Minister of Education, interview with USDOL official, May 12, 1998.

1248 The World Bank’s Education Enhancement Program Project was developed to enhance the Ministry’s stated goals of ensuring universal access to basic education, with an emphasis on girls, and to improve the quality of education. 


Incidence and Nature of Child Labor

In 2000, the ILO estimated that 9.3 percent of children ages 10 to 14 years in Egypt were working. A 1997 national survey conducted by the Population Council showed a gender disparity between working children. Approximately 29 percent of 10-year-old boys were working compared to 13 percent of girls the same age. The percentage of economically active boys increases sharply through age 18 while the increase in girls is considerably less. Children are largely found working in the agricultural sector. Children also work in leather tanneries, pottery kilns, glassworks, auto repair workshops, and textile and plastics factories. Girls from poor families are reported to work as domestic servants in the homes of other families.

Although the Constitution guarantees free and compulsory basic education for children between the ages of 6 and 15, the Ministry of Education imposes school fees for primary education. In 1998, the gross primary enrollment rate was 100.2 percent, and the net primary enrollment rate was 92.4 percent. Girls’ enrollment still lags behind that of boys. In 1996, the net primary school attendance was 83.3 percent.

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1255 UN Convention on the Rights of Children, *Consideration of Reports: Egypt*, para. 208. Unfortunately, most reports of national child labor statistics are based on a study conducted by the Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS) in 1988. The paucity of findings from recent surveys renders statistics on the current situation of child labor highly suspect. For information on the CAPMAS survey, see Graitcer and Lerer, *The Impact of Child Labor on Health*, 33.

1256 ILO-IPEC official, electronic communication, January 7.


1258 U.S. Embassy- Cairo, *unclassified telegram no. 6469*.


1262 World Bank, *World Development Indicators 2002*.

1263 Girls’ gross primary enrollment is 95.9 compared to 104.3 for boys while girls’ net primary enrollment is 89.2 compared to 95.4 for boys in 1998. Ibid.

1264 Ibid.
Child Labor Laws and Enforcement

The Children’s Code establishes 14 years as the minimum age for employment. At 12 years old, children may participate in training for seasonal employment provided the work does not interfere with their health, growth, and school attendance. In April 2001, the government issued a decree making it illegal to employ children below the age of 14 in cotton fields. The Labor Law of 1996 also prohibits children from working over six hours per day or for more than four consecutive hours, at night, overtime hours, or during their weekly day off. In 1997, the MOM issued two decrees restricting the employment of youths in hazardous work.

The MOM is the government agency responsible for enforcing child labor laws. Despite the development of the CLU and technical assistance from the ILO, U.S. Customs Service, and AOL, a number of obstacles prevent effective enforcement of child labor laws. In September 2000, the CLU carried out a raid that removed 112 children from work in 17 workshops in Cairo. In previous years, the Ministry of Interior had conducted similar raids.


1268 According to these decrees, children under age 15 are prohibited from work involving furnaces or ovens in bakeries, freezing and refrigeration units, fertilizers, acids, or chemicals; work in cement factories, petroleum and distillation labs, or pressurized gas industries; cotton bailing; work involving bleaching, dyeing, and textile printing; or jobs requiring heavy lifting. Children under age 17 are prohibited from employment in a number of areas, including mining, smelting metals, working with explosives, welding, tanneries, fertilizer industries, or butchering animals. See U.S. Embassy- Cairo, unclassified telegram no. 6469.
1269 Ibid.
1270 The number of inspectors is too small, the training is less than adequate, visits are often too rare, logistical and administrative support is lacking. Ibid.
1271 Although the children were returned to their parents under the condition that they would not return to work, no action was taken against the employers. U.S. Department of State, Country Reports- 2001: Egypt, 2037-39, Section 6d.
1272 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of El Salvador has been a member of ILO-IPEC since 1996. In June 2001, El Salvador became one of the first countries to initiate a comprehensive, national ILO-IPEC Time-Bound Program, funded by USDOL, to eliminate the worst forms of child labor and provide education to vulnerable children. The Time-Bound Program focuses on eliminating exploitative child labor in fireworks production, fishing, sugar cane production, commercial sexual exploitation, and garbage dumps scavenging. The government has also collaborated with ILO-IPEC on four additional projects funded by USDOL. These projects seek to gather statistical information on children engaged in economic activities, and withdraw child workers from mangrove clam harvesting, coffee harvesting, and the cottage production of fireworks. A child labor module, designed by ILO-IPEC's SIMPOC and funded by USDOL, was included in the government’s Multiple Purpose Household Survey of 2001. A National Committee for Child Labor Eradication, under the auspices of the Ministry of Labor and Social Security, provides leadership and guidance to the ILO-IPEC program. The National Committee has approved a National Plan for the Progressive Elimination of the Worst Forms of Child Labor 2002-2005. ILO-IPEC has also conducted assessments in the sectors where the worst forms of child labor are a particular

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\(1280\) Embassy of El Salvador, written communication, October 25, 2001, 8.
problem. Also, with support from other donors, ILO-IPEC is carrying out a project aimed at raising awareness and collecting information on children involved in domestic work in the homes of third parties; a project aimed at reducing child labor in urban market areas; and a regional project to reduce scavenging at garbage dumps.

The Ministry of Education is working with other ministries in the implementation of the education component of the ILO-IPEC Time-Bound Program and has developed an Education for All plan to increase access to primary education, improve the quality and results of learning, and expand basic education services and training in essential skills for youth. From 1994 to 2000, the Government of El Salvador increased its public expenditure on education from 1.9 percent to 3 percent of GDP; increased the number of schools, classrooms, and teachers; expanded early childhood centers; and created a training program for teachers. The Ministry of Education supports a number of programs aimed at increasing the quality and coverage of education.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 13.7 percent of children ages 10 to 14 years in El Salvador were working. In 2001, ILO-IPEC reported that about two-thirds of working children are located in rural areas and are involved in agricultural and related activities. Children often accompany

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1282 ILO official, electronic communication to USDOL official, November 14, 2002. This project is in addition to the Time Bound Program.


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their parents to work in commercial agriculture, particularly during coffee and sugar harvests. Children from poor families, as well as orphans, work as street vendors and general laborers in small businesses, primarily in the informal sector. Children also work in fishing (small-scale family or private businesses), fireworks manufacturing, charcoal production, shellfish harvesting, drug trafficking and garbage scavenging. Some children also work as domestic servants in third party homes.

There is evidence that some children, especially girls, engage in prostitution. El Salvador is both a source and a destination country for girls trafficked for commercial sexual exploitation. Salvadoran girls are trafficked to Mexico, the United States, and other Central American countries. Children who live on the streets are also trafficked to other countries, such as Guatemala, and forced into prostitution. Children from Honduras have been used as beggars to support traffickers in San Salvador.

Education is compulsory through the ninth grade or up to 14 years of age, and public education is free through high school. In 1998, the gross primary enrollment rate was 111.2 percent, and the net primary enrollment rate was 80.6 percent. Primary school attendance rates are unavailable for El Salvador. While enrollment rates indicate a level of commitment to education, they do not


1289 U.S. Department of State, Country Reports- 2001: El Salvador, 2808-12, Section 6d.

1290 U.S. Embassy- San Salvador, unclassified telegram no. 0679. See also U.S. Embassy- San Salvador, unclassified telegram no. 2066. See also ILO-IPEC, IPEC Country Profile: El Salvador. See also ILO-IPEC, Time-Bound Program in El Salvador, project document, 6-8.

1291 ILO-IPEC, Trabajo Infantil Doméstico: Una Evaluación Rapida.


1295 Ibid., 2805-08, Section 5.

1296 World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002
always reflect children’s participation in school.\textsuperscript{1299} The number of children who drop-out or do not enroll in school is higher in rural areas than in urban areas. UNDP data indicates that while children attend school for an average of 5.3 years at the national level, the average drops to 3.2 years on rural areas.\textsuperscript{1300} Many students in rural areas do not reach the sixth grade due to a lack of financial resources and because many parents withdraw their children from school so that they can work.\textsuperscript{1301}

\section*{Child Labor Laws and Enforcement}

The Labor Code sets the minimum age for employment at 14 years.\textsuperscript{1302} Children between the ages of 12 and 14 can be authorized to perform light work, as long as it does not harm their health and development or interfere with their education.\textsuperscript{1303} Children who are 14 years or older may receive permission from the Ministry of Labor to work, but only when it is necessary for the survival of the child or the child’s family.\textsuperscript{1304} Children under the age of 18 are prohibited from working at night\textsuperscript{1305} or in hazardous and/or morally dangerous conditions.\textsuperscript{1306} Forced or compulsory labor is prohibited by the Constitution.\textsuperscript{1307}

In October 2001, the Legislative Assembly approved Criminal Code reforms that prohibit trafficking in persons.\textsuperscript{1308} The Constitution makes military service compulsory between the ages of 18 and 30 years, but voluntary service can occur beginning at age 16.\textsuperscript{1309} El Salvador’s Penal Code does not criminalize prostitution.\textsuperscript{1310} However, the Penal Code provides for penalties of two to

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four years in prison for the inducement, facilitation, or promotion of prostitution, and the penalty increases if the victim is less than 18 years old.1311

The Ministry of Labor is responsible for enforcing child labor laws.1312 Limited resources and the difficulty of monitoring in the informal sector limit the effectiveness of Ministry of Labor enforcement outside of the urban formal sector.1313


1311 Government of El Salvador, Código Penal de El Salvador, Decree no. 1030, Article 169. See also U.S. Embassy-San Salvador, unclassified telegram no. 2731.

1312 U.S. Department of State, Country Reports- 2001: El Salvador, 2808-12, Section 6d.

1313 Ibid.

Equatorial Guinea

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In May 2000, the Government of Equatorial Guinea requested assistance from the ILO regional office to improve the country’s adherence to international labor standards, including those related to child labor.1315 The country also has government-sponsored and private programs to provide education for at-risk children.1316 In September 2002, the government ratified a National Education for All Plan 2002-2015, in which it pledged to give priority to basic and girls’ education.1317 The government provides assistance to child victims of trafficking, and is conducting a radio campaign to raise awareness about the minimum age of employment.1318

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 32 percent of children ages 10 to 14 years in Equatorial Guinea were working.1319 Children primarily work on family farms, in street vending1320 and in grocery stores.1321 There is evidence that children engage in prostitution,1322 particularly in the capital city.1323 Children are trafficked within the country and from neighboring countries such as Nigeria.
and Benin for bonded labor (including domestic service) in Equatorial Guinea’s cities.\textsuperscript{1324} Some children are also trafficked through Equatorial Guinea for domestic labor in Gabon.\textsuperscript{1325}

Education is free and compulsory until the age of 14.\textsuperscript{1326} In 1998, the gross primary enrollment rate was 130.8 percent, and the net primary enrollment rate was 82.7 percent.\textsuperscript{1327} Attendance rates are not available for Equatorial Guinea.\textsuperscript{1328} While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1329} Late entry into the school system and high drop-out rates are common, and girls are more likely than boys to drop out of school.\textsuperscript{1330}

\textbf{Child Labor Law and Enforcement}

Labor laws set the minimum age for employment at 14 years, but children as young as 13 years can work in light jobs on the condition that these do not affect their health, growth, or school attendance. Children who are 12 years old may work in agriculture or craft making.\textsuperscript{1331} Children under 16 years are prohibited from work that might harm their health, safety or morals.\textsuperscript{1332} In 2001, the government passed a measure banning all children under the age of 17 years from being on the streets after 11 p.m. and from working, a measure which the Ministry of the Interior stated was taken to curb growing levels of prostitution, delinquency and alcoholism among young people employed in bars and grocery stores and as street hawkers. The measure calls for the fining of

\begin{itemize}
\item \textsuperscript{1325} U.S. Department of State, \textit{Trafficking in Persons Report: Equatorial Guinea}, 46.
\item \textsuperscript{1326} According to the State Department, this measure is not enforced. See U.S. Department of State, \textit{Country Reports-2001: Equatorial Guinea}, 233-44, Section 5.
\item \textsuperscript{1327} World Bank, \textit{World Development Indicators} 2002.
\item \textsuperscript{1328} According to the representative of UNICEF in Equatorial Guinea in 2001, 50 percent of school-age children did not attend primary school. See afril.com, \textit{Child labour increasing}.
\item \textsuperscript{1329} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\item \textsuperscript{1331} For a 12-year-old to work, professional organizations of workers and authorities within the Ministry of Labor must be consulted in advance. See U.S. Embassy- Yaounde, \textit{unclassified telegram no. 3123}.
\item \textsuperscript{1332} Ibid.
\end{itemize}
parents as punishment for violations. Forced or bonded labor by children is prohibited. The country has some laws against trafficking of persons but they are rarely employed.

The Ministry of Labor corps of 50 national labor inspectors enforces labor laws. However, the government devotes little attention to the rights of children, and fails to enforce minimum age laws for work or laws mandating education up to the age of eighteen.


1333 UN Integrated Regional Information Network, *Equatorial Guinea; Minors Grounded.*


**Eritrea**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Eritrea’s Ministry of Labor and Human Welfare (MLHW) is working in cooperation with UNICEF to implement community sensitization activities on children’s rights. Another MLHW program, designed to prevent and rehabilitate commercial sex workers, includes a component that assists in advocacy for the eradication of commercial sexual exploitation of children, and helps to reintegrate and rehabilitate victims and provide them with self-help opportunities.

The government has also initiated programs to construct new schools in remote villages, increase the number of teachers, and increase the enrollment and retention of girls. UNICEF is promoting access to education in war-affected areas by rehabilitating schools, providing learning materials to displaced children, establishing makeshift classrooms, facilitating school lunch programs, and training teachers. The government, in conjunction with the World Bank, is implementing a five-year, USD 49 million “Integrated Early Childhood Development Project” designed to improve childhood care and education, address child health issues, and provide support for children in need of special care and protection.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 38.4 percent of children ages 10 to 14 years in Eritrea were working. Children work as street vendors, traders, in domestic services, in small-scale manufacturing, and on family farms. Some children are involved in small-scale gold mining.

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1340 Ibid.


Children as young as 12 years of age are reportedly involved in prostitution on the streets of Massawa and Asmara, as well as in hotels and bars. A 1999 MLHW survey on commercial sex workers revealed that 5 percent of prostitutes surveyed in Eritrea were aged 14 to 17 years. Eritrean children are reportedly trafficked to Saudi Arabia to work as domestic servants and menial laborers. In addition, children reportedly fought as soldiers with the Eritrean People’s Liberation Front. Insufficient birth registrations make it difficult to verify the ages of recruited soldiers.

Education is free and compulsory through grade seven. In 1998, the gross primary enrollment rate was 53.2 percent; 58.3 percent of boys and 48.1 percent of girls. The net primary enrollment rate was 33.9 percent. The Ministry of Education estimates that only 37 to 38 percent of children attend school.

**Child Labor Laws and Enforcement**

The Transitional Labor Law No. 8/91 sets the minimum age for employment at 18 years, but allows for the employment of apprentices starting at the age of 14 years. The Labor Proclamation of Eritrea (Proclamation No. 118) provides that no person under the age of 14 may be employed, that young employees may not work between 6 p.m. and 6 a.m., and that young employees may not work more than seven hours per day. Apprentices under 18 years of age are prohibited from

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1350 Children as young as age 14 were reportedly used as Eritrean troop reinforcements to counter a May 2000 attack by Ethiopia. At the 1999 African Conference to Stop the Use of Child Soldiers, the Ethiopian Government also circulated a list of Eritrean prisoners of war between ages 15 and 18. Prior to the border conflict in recent years, hundreds of children were used as soldiers (“Red Flags”) during the 30-year war for independence. Coalition to End the Use of Child Soldiers, “Eritrea.” See also Integrated Regional Information Network, “Ethiopia-Eritrea: End to Use of Child Soldiers Urged”, IRINnews.org, July 11, 2000, [cited December 27, 2002]; available from http://www.irinnews.org/report.asp?ReportID=2837&SelectRegion=Horn_of_Africa&SelectCountry=EETHIOPIA-ERITREA.


1352 The net primary enrollment rate was 31.4 percent for girls and 36.4 percent for boys. See World Bank, *World Development Indicators* 2002.


performing dangerous and abusive labor. Proclamation No. 118 bars children, young workers and apprentices from working in transport industries, including warehouses or docks where heavy lifting, pushing or pulling is required; in jobs involving toxic chemicals, dangerous machines or power generation and transmission; or in underground work, including mines, sewers and tunnels.

The 1996 Constitution prohibits forced labor, but the National Service Proclamation obligates that all citizens complete compulsory service in the national armed forces. The National Service Proclamation sets the minimum age for military service at 18 years and requires 18 months of duty. The Penal Code prohibits the procurement, seduction, or trafficking of children under the age of 18, and also bans sexual relations with children under 18 years old. Labor inspectors in the MLHW are charged with enforcing the child labor laws, but inspections are infrequent due to the small number of inspectors.

The Government of Eritrea ratified ILO Convention 138 on February 22, 2000, but has not ratified ILO Convention 182.

1356 Ibid.
1357 Ibid.
1360 Committing indecent acts with a child under age 15 is a criminal offense punishable by five years of imprisonment. Sexual acts with children between ages 15 and 18 are also prohibited, although the penalty is less severe. ECPAT International, Eritrea, “Protection”.
1361 U.S. Embassy- Asmara, unclassified telegram no. 1447. Laws on commercial sexual exploitation are also reported to be poorly enforced and inadequate. See U.S. Department of State, Country Reports 2001: Eritrea, 248-49, Section 6d. See also ECPAT International, Eritrea, “Protection”.
Estonia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Estonia was cooperating with governments in the region, including Finland, Russia, Sweden, and Germany, to implement a European Commission anti-trafficking initiative called the STOP-Project in 2002. This project aimed to develop the means to record and exchange information on international trafficking, uncover the organized crime activity surrounding regional trafficking networks, and explore the social consequences of trafficking and organized prostitution. The project included a component to prevent the commercial exploitation of children.

In early 2002, a study on children involved in drug trafficking was carried out by ILO-IPEC SIMPOC with funding from USDOL. In partnership with government agencies, IOM launched a counter-trafficking project aimed at establishing a coordinated system of assistance for trafficking victims from the Baltic Republics. In cooperation with the Estonian Ministry of Social Affairs, the Nordic Council of Ministers has initiated a large-scale anti-trafficking campaign, focused on prevention, for 2002-2003.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Estonia are unavailable. A 1999 labor survey indicates that employees aged 16 to 17 make up 0.2 percent of the total labor force, and no exploitation of children has been noted. In some instances, children peddle goods


1365 The study questioned 40 children and 19 young adults (i.e., 18 years and older) who were either currently involved in or had previously been involved in worst forms of child labor. Nelli Kalikove, Aljona Kurbatova, and Ave Talu, Estonia Children and Adolescents Involved in Drug Use and Trafficking: A Rapid Assessment, ILO-IPEC, Geneva, June 2002, [cited August 30, 2002]; available from http://www.ilo.org/public/english/standards/ipec/simpoc/ra/index.htm.

1366 The project takes place in Estonia, Latvia and Lithuania, and is partnered with the Ministries of Interior, Border Guards, Departments of Investigating Organized Crime and Ministries of Foreign Affairs. IOM, Online Project Compendium, [online] [cited August 29, 2002]; available from http://www.iom.int/iomwebsite/Project/ServletSerachProject?event+detail&id=FI1Z045.


and beg on the streets. There are reports that children engage in prostitution, and there have been reports that women and girls are trafficked internally and to Nordic countries and Western Europe. There is also evidence that children are involved in drug trafficking, and there is a connection between drug use and children engaged in prostitution. In 1999, an estimated 4,000 to 5,000 children were found to be in the streets; this estimate includes children who are deprived of parental care and children evading school. However, the number of children without a home and living in the streets is estimated at 100 to 200.

The Constitution states that education is compulsory and free for children. The Education Act of 1992 and the Basic Schools and Upper Secondary Schools Act of 1993 make nine years of basic education compulsory and free for children. In 1998, the gross primary enrollment rate was 101 percent, and the net primary enrollment rate was 96.2 percent.

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1373 Child homelessness is more problematic in the cities of Tallinn, Tartu, and Narva. See UNICEF, *Estonian National Report*. According to a 2000 report of the European Commission, 170 street children were registered in shelters in Estonia and the number of neglected children in the country is 500-600; more than half of these children reside in Tallinn. See U.S. Department of State official, electronic communication to USDOL official, February 2003.


Child Labor Laws and Enforcement

The Employment Contract Act sets the minimum age for employment at 18 years, although children 15 to 17 years old may work with the consent of a parent or guardian, and children 13 to 15 years old may work with the consent of a parent or guardian and a labor inspector.1378 Children under 18 years may not perform hazardous or dangerous work.1379 The Working and Rest Time Act limits the hours that children under 18 years old can work and prohibits overtime or night work.1380 The Occupational Health and Safety Act gives enforcement responsibilities for labor laws to the Labor Inspector Service.1381 No cases of child labor violations have been submitted to the courts.1382

Articles 133 and 134 of the Penal Code, which took effect on September 1, 2002, criminalize trafficking in persons. The code provides for increased penalties if the crime is committed against a person of less than 18 years of age.1383 The code provides for fines or imprisonment of up to three years for persons found guilty of disposing or aiding minors to engage in prostitution. The code also provides for fines or imprisonment of up to one year for persons found guilty of using minors in the production, manufacture or distribution of child pornography.1384 The Ministry of Internal Affairs and the Ministry of Social Affairs are responsible for matters relating to trafficking.1385 The Constitution prohibits forced or bonded labor, except in the Defense Forces or alternative service, work required in times of natural disasters or catastrophes, or when fulfilling a court sentence.1386

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1378 These allowances are made only if the work will not endanger the health, morality, or education of the minor. The Employment Contracts Act does not extend to work on a family farm, family enterprise, and household work. See Republic of Estonia Employment Contract Act of 1992, Article 2 (1,2) and Article 7 (4) [cited August 30, 2002]; available from http://www.legaltext.ee/en/andmebaas/ava.asp?m=0221.

1379 Hazardous or dangerous work includes heavy work, work which poses a health hazard or has dangerous working conditions, underground work, or work which endangers the morality of minors. A complete list of work that is prohibited for minors was determined by the government in regulation no. 214 of July 22, 1992. The following work is prohibited: work involving slaughter or destruction and processing of live animals and birds; work related to exploiting and promoting sex, violence, and gambling; and work where a minor is in contact with alcohol, narcotic, toxic, and psychotropic substances. Miko Haljas, Secretary, Embassy of Estonia, letter to USDOL official, November 26, 2001.


1384 Ibid., Articles 175-79.


The Child Protection Act of 1992 is the primary law guiding the protection of children and in all cases, places the child’s interests first, and the Ministry of Social Affairs coordinates the protection of children in cooperation with the Ministry of Education, the Police Board and other state agencies.1387

The Government of Estonia has not ratified ILO Convention 138, but ratified ILO Convention 182 on September 24, 2001.1388

Ethiopia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Ethiopia is an associated country of ILO-IPEC. The Government of Ethiopia participated in a Child Labor Forum initiated by the ILO regional office in Addis Ababa to combat the worst forms of child labor through the creation of an umbrella organization comprised of government ministries, UN agencies, trade unions and employer organizations, embassies, and NGOs. The Ministry of Labor and Social Affairs (MOLSA) is working with the Ethiopian Central Statistical Authority and ILO-IPEC’s SIMPOC to conduct a national household survey on child labor. A SIMPOC study on child domestic workers in Addis Ababa was also conducted and published in 2002.

In June 2002, Ethiopia was given “Fast Track” status in the World Bank’s Education for All Fast Track Initiative. UNICEF is helping to implement the government’s Education Sector Plan and is supporting programs designed to promote girls’ education. USAID is funding a six-year educational program that focuses on training new teachers and upgrading the quality of existing teachers. Education receives approximately 15 percent of the government’s budget.


1391 Dr. Abdulaki Hasen, General Manager of the Ethiopian Central Statistical Authority, interview with USDOL official, August 9, 2000.


Incidence and Nature of Child Labor

In 2000, the ILO estimated that 41.1 percent of children ages 10 to 14 years in Ethiopia were working. According to a child labor study in rural Ethiopia, 30 percent of the workers on state-owned farms are children 7 to 14 years of age. Children work on commercial cotton, sugarcane, coffee, and tea farms. In rural areas, children also work on family farms. Household chores may require long hours and excessive physical exertion, and can interfere with school, particularly in the case of girls.

The commercial sexual exploitation of children is increasing in Ethiopia. Girls as young as 11 years old are recruited by the commercial sex industry to work in brothels, bars and hotels. Children are trafficked internally in Ethiopia for such purposes as forced labor and commercial sexual exploitation. There are reports that networks of persons working in tourism and trade recruit young Ethiopian girls for overseas work and provide them with counterfeit work permits. There are also reports that Ethiopian girls travel to the Middle East for work as domestic servants, where they are sometimes sexually exploited. Recruitment of children into

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1399 On the Bebeka Coffee Farm, an estimated 490 children ranging from ages 7 to 16 were found to be working on the farm. See ILO/EAMAT, *A Study on Child Labour in Rural Ethiopia: working paper no. 1*, ILO/Eastern Africa Multidisciplinary Advisory Team, Addis Ababa, 1999, 4-10. See also Carol Cox, Third Secretary, Political Section, interview with USDOL official, August 7, 2000. See also Girma Abebe, Foreign Service National, U.S. Embassy, interview with USDOL official, August 7, 2000.

1400 Children working on commercial farms are often exposed to environmental toxins that can be detrimental to their health, especially on cotton farms. The cotton farms are located in the kolla zone, where children tend to be at a higher risk for malaria, yellow fever and snakebites. See ILO/EAMAT, *Child Labour in Rural Ethiopia: working paper no. 1*, 3-10.


1406 Ibid., 271-75, Section 5.
the armed forces occurred in 1999 during the border conflict with Eritrea. There is no evidence that underage recruitment by the government is continuing, though some children as young as 14 have reportedly joined local militias.

Primary education is compulsory and free, but there are not enough schools to accommodate all students. Students in rural areas often have little access to education and girls’ participation in schools remains much lower than that of boys. In 1998, the gross primary enrollment rate was 63.8 percent, and the net primary enrollment rate was 35.3 percent. Primary school attendance rates are unavailable for Ethiopia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

Ethiopia’s Labor Proclamation sets the minimum age for employment at 14 years. Under the Proclamation, employers are forbidden to employ young workers when the nature of the job or the conditions under which it is carried out may endanger the life or health of the children. Some activities that are prohibited are transporting goods by air, land, or sea; working with electric power generation plants; and performing underground work (e.g., quarrying in mines). Children between 14 and 18 years are prohibited from working over seven hours per day; overtime; between the hours of 10 p.m. and 6 a.m.; during weekly rest days; and on public holidays. Ethiopia’s Penal Code includes provisions specifically prohibiting child trafficking, child prostitution, and

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1408 U.S. Department of State, *Country Reports- 2001: Ethiopia*, 275-78, Section 5. The Ministry of Defense does not permit individuals under age 18 to enlist in the military, but the policy is difficult to enforce, since an estimated 95 percent of Ethiopians have no birth certificates. Patriotism, a lack of educational opportunities, and widespread poverty also cause underage boys to join the military. See Seife Tadelle, President of Ethiopian Youth League, interview with USDOL official, August 8, 2000. See also Coalition to Stop the Use of Child Soldiers, “Ethiopia.”


1410 ILO/EAMAT, *Child Labour in Rural Ethiopia: working paper no. 1*, 1. See also UN Integrated Regional Information Networks, *Focus on Primary Education*.

1411 The net primary enrollment rate in 1998 for boys was 40.8 percent, and 29.8 percent for girls. See World Bank, *World Development Indicators 2002*.

1412 Ibid.

1413 For a more detailed description on the relationship between education statistics and work, see the preface to this report.


1415 Ibid.

1416 Ibid., Part Six, Chapter 2, Articles 90, 91, at 295.
bonded child labor.\textsuperscript{1417} The Constitution (Article 36) also stipulates that children are not to be subjected to hazardous work or exploitative practices.\textsuperscript{1418} Enforcement of labor laws regarding children is reportedly weak, due in large part to an insufficient number of labor inspectors.\textsuperscript{1419}

The Government of Ethiopia ratified ILO Convention 138 on May 27, 1999, and has not ratified ILO Convention 182.\textsuperscript{1420}

\textsuperscript{1417} The trafficking of women and children is punishable by imprisonment of up to five years, with fines up to 10,000 birr (USD 1,244). See Tilahun Teshome, Dean of the Faculty of Law, Addis Ababa University, interview with USDOL official, August 10, 2000. For currency conversion see FX Converter, [online] [cited January 30, 2002]; available from http://www.carosta.de/frames/convert.htm. \textsuperscript{1418} Embassy of Ethiopia, \textit{Efforts Made by Ethiopia to Eliminate the Worst Forms of Child Labour}, 3.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Fiji signed an MOU with the Australian Government for joint action to combat child sexual abuse, including cooperative law enforcement mechanisms, as part of Australia’s plan of action against Sexual Exploitation of Children.1421 The Ministry of Education is working with the Save the Children Fund to compile data on school enrollment, attendance, completion and drop-out rates.1422

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Fiji are unavailable. Children work on family farms or businesses, in homes as domestic workers, as shoe shiners, or in car repair shops.1423 Homeless children also work in the informal sector,1424 and the number of street children in Suva is reported to be growing.1425 Children are also lured into the commercial sex industry by both local and foreign adults wishing to profit from the pornography trade.1426

Primary school education is compulsory for eight years.1427 In 1998, the gross primary enrollment rate was 112.1 percent, and the net primary enrollment rate was 100.9 percent.1428 Primary school attendance rates are unavailable for Fiji. While enrollment rates indicate a level of commitment to

1422 With funding from the Australian Government, the Save the Children Fund is also working in Fiji to improve school facilities and increase school accessibility for disadvantaged children. See U.S. Embassy- Suva, unclassified telegram no. 0756, September 2001.
1426 Exploitation of children through both prostitution and pornography occurs both by local and foreign abusers. Ibid.
education, they do not always reflect children’s participation in school.\textsuperscript{1429} In general terms, school attendance is reported to be decreasing due to security concerns, the burden of school fees, and the cost of transportation.\textsuperscript{1430}

**Child Labor Laws and Enforcement**

The Employment Act sets the minimum age for employment at 12 years, and establishes that working children between the ages of 12 and 15 years of age are prohibited from harsh conditions, long hours and night work.\textsuperscript{1431} The Constitution forbids forced labor.\textsuperscript{1432} The Penal Code prohibits the sale or hiring of minors under 16 years of age for prostitution.\textsuperscript{1433} There is no enforcement mechanism written into legislation relating to child labor.\textsuperscript{1434}

The Government of Fiji has not ratified ILO Convention 138, but ratified ILO Convention 182 on April 17, 2002.\textsuperscript{1435}

\textsuperscript{1429} For a more detailed description on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{1434} There are only two inspectors at the Ministry of Labor and no investigators to follow up on claims or reports. Inspections are scheduled once a year, although these inspections are not always carried out. The police department has no mandate to stop child labor practices. See U.S. Embassy- Suva, *unclassified telegram no. 0756*.

Gabon

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Gabon is an associated country of ILO-IPEC. In 1999, the Government of Gabon and eight other African countries began working with ILO-IPEC on a USDOL-funded project to combat the trafficking of children in West and Central Africa. In September 2002, Gabon hosted a seminar on child trafficking during which government officials and representatives from NGOs and the EU agreed to coordinate efforts in the fight against child trafficking. Representatives from the Government of Gabon also attended a January 2002 seminar along with officials from Benin, Burkina Faso, Côte d’Ivoire, Mali, Niger, and several UN agencies and NGOs, to discuss child trafficking and exploitation in West and Central Africa. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking. In 2000, the Government of Gabon co-hosted a regional conference on trafficking as part of a collaborative effort with UNICEF and the ILO. The government also created an inter-ministerial committee comprised of representatives from the Ministries of Labor, Justice, Foreign Affairs, and Family to address the issue.

In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Gabon. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among USG donors, greater

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coordination with international donors, engagement with and funding of regional and international organizations, and direct funding for host government or local NGOs.\textsuperscript{1442}

In March 2002, the Government of Gabon opened a center that provides shelter along with legal, medical and psychological assistance to trafficking victims.\textsuperscript{1443} In November 2001, Gabon, UNICEF and several NGOs announced a campaign to increase awareness about child trafficking and inform victims about rehabilitative services.\textsuperscript{1444} To assist with these efforts, the government provided free billboard space in major cities for an information campaign on trafficking.\textsuperscript{1445} UNICEF is also planning to invest USD 15,000 in a joint government-UNICEF program that will help prepare rural Gabonese children for primary school.\textsuperscript{1446}

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 14.1 percent of children ages 10 to 14 years in Gabon were working.\textsuperscript{1447} Children are found working primarily as domestic servants and in the informal sector, which various studies indicate is controlled by foreigners.\textsuperscript{1448} Children are trafficked into the country from Benin, Togo, Nigeria, Burkina Faso, and Mali for the purposes of labor and sexual exploitation.\textsuperscript{1449} Children who are purchased in Benin, Togo and Mali for as little as USD 14 may be sold to commercial farms in Gabon and Côte d’Ivoire for up to USD 340.\textsuperscript{1450}

\textsuperscript{1442} U.S. Embassy- Abuja, unclassified telegram no. 1809, June 2002.


\textsuperscript{1445} U.S. Department of State, *Trafficking in Persons Report: Gabon.*


Education is compulsory between the ages of 6 and 16 under the Education Act. Schooling is free, but parents must pay for expenses such as books and school supplies. In 1998, the gross primary enrollment rate was 154.1 percent and the net primary enrollment rate was 82.6 percent. Primary school attendance ratios are unavailable for Gabon. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. According to the government, over 40 percent of students drop out before they complete the last year of primary school. Problems in the education system include poor management and planning, lapse oversight, a shortage of teaching material, poorly qualified teachers, overcrowded classes, and a curriculum that is not always relevant to students’ needs. Gabon allocates nearly 10 percent of the annual state budget to national education.

**Child Labor Laws and Enforcement**

The Labor Code prohibits children below the age of 16 from working without the express consent of the Ministries of Labor, Education, and Public Health. Section 6 of the Labor Code prohibits employing children in jobs that are unsuitable for them due to their age, state or condition, or that prevent them from receiving compulsory education. Children between 16 and 18 years of age are prohibited from working in industries that necessitate continuous work hours, such as iron, sugar and paper factories. Children under 18 years are prohibited from working at night in industrial establishments, except in family enterprises. Procurement of a minor for the

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1453 World Bank, *World Development Indicators 2002*.


1455 For a more detailed description on the relationship between education statistics and work, see the preface to this report.


1457 In the capital city, Libreville, classes average 100 students in size, and rural classes average about 40 students. Many rural schools are poorly built and lack furniture and educational material. Sixteen percent of school children have only one teacher for all six primary years, and some schools have no teacher at all. See Ibid., para. 217. See also United Nations, *Gabon Presents Initial Report to Committee on Rights of Child*.


1461 U.S. Embassy- Libreville, *unclassified telegram no. 1540*.
purposes of prostitution is punishable by imprisonment for two to five years and a fine of 100,000 to 2,000,000 CFA (USD 156 to 3,129).\textsuperscript{1462}

No laws specifically prohibit trafficking in persons.\textsuperscript{1463} However, in August 2001, the Council of Ministers of Gabon adopted a draft Ordinance that makes the trafficking of children punishable by a prison sentence and a fine of between 10 and 20 million CFA (USD 15,646 to 31,292).\textsuperscript{1464} Pursuant to the Criminal Code, accomplices and instigators are subject to the same penalties as the prime offenders.\textsuperscript{1465}

While the Labor Code is intended to cover all children, in practice it is enforced only in situations involving Gabonese children, and not those who are foreign-born.\textsuperscript{1466} The Ministry of Justice is responsible for the enforcement of child labor laws, while the Ministry of Labor is charged with receiving, investigating and addressing child labor complaints.\textsuperscript{1467} In 2000, Gabon was reported to have 35 labor investigators, none of whom were explicitly tasked with investigating violations of child labor laws.\textsuperscript{1468}

The Government of Gabon has not ratified ILO Convention 138, but ratified ILO Convention 182 on March 28, 2001.\textsuperscript{1469}


\textsuperscript{1463} U.S. Department of State, \textit{Trafficking in Persons Report: Gabon}, 50.

\textsuperscript{1464} International Labour Office Governing Body, \textit{Review of annual reports}, 342. FX Converter, at http://www.carosta.de/frames/convert.htm. As of the end of 2001, the National Assembly was considering the proposed law. See U.S. Department of State, \textit{Country Reports- 2001: Gabon}, 286-88, Section 6f.\textsuperscript{1467}

\textsuperscript{1465} International Labour Office Governing Body, \textit{Review of annual reports}, 342.

\textsuperscript{1466} U.S. Department of State, \textit{Country Reports- 2001: Gabon}, 286-88, Section 6d.

\textsuperscript{1467} Ibid.

\textsuperscript{1468} U.S. Embassy- Libreville, unclassified telegram no. 1365, July 2000.

The Gambia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Gambia began implementing an education initiative in 1998, with USD 15 million in loan support from the World Bank. The project will last until 2005 and is intended to increase the gross enrollment rate to 90 percent, improve educational opportunities for girls, strengthen basic education curricula, and improve teacher training. The government’s education efforts are also supported through a joint project with UNICEF which began in February 1999 and will end in 2003. Through the 1990s, spending on education increased from 15 to 21 percent of government expenditures, and the share of the education budget devoted to primary education increased from 38 to 45 percent.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 26.9 percent of the children ages 5 to 14 years in the Gambia were working. Children in rural areas mainly work on family farms and assist with housework; many children in urban areas work as street vendors or taxi and bus assistants. Other sectors where children ages 14 to 17 years are known to work are carpentry, sewing, masonry, plumbing,

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1472 Ibid.

1473 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. UNICEF, The Gambia Draft Report Multiple Indicator Cluster Survey 2000: Standard Tables for Gambia, New York, 2000, 64 [cited November 7, 2002]; available from http://www.childinfo.org/MICS2/newreports/gambia/GAMBIEtables.pdf.

Some children work in commercial sexual exploitation. Sex tourism is a problem in the Gambia and involves both boys and girls, although its existence is not recognized by the government. Many girls in rural areas leave school to work, and some migrate to urban areas seeking domestic or other employment. A popular media source reported that five foreigners were deported by the police in 2001 for trafficking young girls into the Gambia and employing them as commercial sex workers.

The Constitution mandates free and compulsory primary education to 8 years of age, but a lack of resources and educational infrastructure has made implementation difficult. One obstacle to education was removed in 1998 when the President of the Gambia ordered the termination of fees for the first six years of schooling. In 1998, the gross primary enrollment rate was 81.4 percent and the net primary enrollment rate was 60.9 percent. Girls make up about 40 percent of primary school students. Enrollment of girls is low in rural areas where cultural factors and poverty dissuade parents from sending girls to school. Primary school attendance rates are unavailable for the Gambia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Approximately 20 percent of school-age children attend Koranic schools, which usually have a restricted curriculum.

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1475 U.S. Embassy- Banjul, unclassified telegram no. 1032, October 2002.
1478 UNICEF, Country Profile.
1482 The gross primary enrollment rate increased from 63.9 percent in 1990 to 81.4 percent in 1998. World Bank, World Development Indicators 2002. However, according to Government of the United Kingdom’s Department for International Development (DFID) statistics, in 1999/2000 the gross enrollment rate for primary school was 72 percent and for girls was 47 percent. See also United Kingdom Department for International Development, The Gambia: The Gambian ICT Distance Education Programme, [cited August 22, 2002]; available from http://www.imfundo.org/projects/gambia.htm.
1484 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The Gambia’s statutory minimum age for employment is 18 years, but it is reported that in practice, children often begin work at a younger age. The legal framework governing child labor in the Gambia is limited, and there are no laws that restrict the sectors in which children can work. There is no formal mechanism that specifically ensures compliance with child labor standards. Employee labor cards list employee ages with the Labor Commissioner, but enforcement inspections rarely take place. The Criminal Code prohibits procuring a girl under 21 years of age for the purposes of prostitution, either in the Gambia or outside of the country. The Gambia has arrested and deported child traffickers.


1486 Ibid., 301-03, Section 6d.
1487 U.S. Embassy- Banjul, unclassified telegram no. 1032.
1488 Ibid.
1491 Several Nigerians trafficking girls into the Gambia were expelled in November 2001. See allAfrica.com, Banjul Deports Three Foreigners Over Girl Trafficking. A tourist was arrested and extradited for having sex with young girls. See Mbellow, Sex Trafficking in the Gambia.
Georgia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Georgia is an associated country of ILO-IPEC. With technical assistance from ILO-IPEC’s SIMPOC, the Government of Georgia has conducted a child labor survey and is in the final stages of releasing national estimates on child labor. The UNDP is also working to strengthen the capacity of the State Department of Statistics, in order to conduct a national child labor survey. In February 2000, the President promulgated a general strategy to combat trafficking.

With its limited budget, the Ministry of Education is working to improve the country’s existing educational institutions, support teacher training, and establish new curricula and education standards. The World Bank recently provided Georgia with a loan for approximately USD 30 million to work toward several of these objectives in the education sector. UNICEF is assisting various government ministries to address children’s rights issues, including increasing access to quality pre-primary and basic education. Save the Children-US is also collaborating with UNICEF and local NGOs to promote children’s rights, and specifically to assist street children who do not have access to education.

1494 ILO-IPEC official, electronic communication to USDOL official, August 28, 2002.
Incidence and Nature of Child Labor

In 1999, UNICEF estimated that 30 percent of children ages 5 to 14 years in Georgia were working.1501 There is limited information on the specific sectors in which children work. However, there are reports of children as young as 9 years old working on the streets of Tbilisi, in markets and sometimes at night, carrying or loading wares.1502 Children as young as 5 years of age work as beggars.1503 Other reports indicate that children are trafficked from Georgia to Turkey or Greece for the purposes of prostitution and domestic servitude.1504 Incidents of the commercial sexual exploitation of children, particularly for prostitution and pornography, are reported to be increasing, especially among girls.1505

Education in Georgia is free of charge and compulsory1506 from the age of 6 or 7 until 16 years.1507 In 1998, the gross primary enrollment rate was 95.3 percent.1508 In 2000, the net attendance rate for children ages 6 to 15 in Georgia was 96 percent.1509 Although the Constitution mandates that

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1501 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Georgia, *Multiple Indicator Cluster Survey 2 (MICS2): Georgia*, UNICEF, 1999, [cited September 5, 2002]; available from http://www.ucw-project.org/resources/index.html. See also State Department of Statistics - National Center for Disease Control, *Multiple Indicator Cluster Survey (MICS) 1999: Republic of Georgia*, UNICEF, Tbilisi, 2000, [cited September 5, 2002]; available from http://www.childinfo.org/MICS2/Gj99306k.htm.


1503 Ibid.


1509 Government of Georgia, *MICS2: Georgia*.
primary education is free, related expenses such as books prevent some children from attending.

**Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 16 years. However, children who are 15 years of age may work in jobs that are not dangerous to their health or development, in some jobs in the performing arts, or with special permission from the local trade union. In general, children under 18 years of age may not be hired for unhealthy or underground work, and children between the ages of 16 and 18 years have reduced working hours.

The Criminal Code prohibits keeping brothels, procuring women for prostitution, lewd conduct involving minors, and sexual relations with a person under 16. Although there are no laws that specifically address trafficking, related offenses can be prosecuted under the Criminal Code. These offenses are punishable by a prison sentence of up to three years. There is no available information on the enforcement of minimum age laws. There was a recent conviction in a Georgian case involving trafficking in minors.


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1510 *Constitution of Georgia*, Article 35.


1513 Ibid., para 220.


Ghana

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Ghana became a member of ILO-IPEC in 2000.1519 To oversee Ghana’s participation in IPEC, the government created a National Steering Committee to address child labor in 2000.1520 The steering committee is comprised of members representing the government, the Trade Union’s Congress, the Ghana Employer’s Association, the media, NGOs, and international organizations.1521 The committee’s work resulted in the publication of the “National Plan of Action for the Elimination of Child Labor in Ghana 2001-2002.”1522 With technical assistance from ILO-IPEC’s SIMPOC and funding from USDOL, the Ghana Statistical Service conducted a national child labor survey in 1999-2000.1523 Ghana also participates in a nine-country ILO-IPEC regional project in West and Central Africa, funded by the USDOL, to prevent trafficking in children and rehabilitate trafficking victims.1524 In October 2001, the Government of Ghana hosted a regional Economic Community of West African States conference on trafficking in persons, and established a national task force on trafficking in March 2002.1525

In 1997, the government initiated a program to improve basic education.1526 Between 2.5 and 3 percent of GNP is spent by the Government of Ghana on education, with roughly two-thirds of that amount put toward basic education.1527

1521 Ibid.
1522 Ibid.
1524 ILO-IPEC, Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (phase 1), project document, RAF/01/P53/USA, 5. See also ILO-IPEC, Statistical Information and Monitoring Programme on Child Labour (SIMPOC), project document, 3.
Incidence and Nature of Child Labor

In 2000, the ILO estimated that 12 percent of children ages 10 to 14 years in Ghana were working.\textsuperscript{1528} In 2000, the Ghana Ministry of Employment and Social Welfare\textsuperscript{1529} estimated that 800,000 children worked nationwide, while 18,000 children were working in Accra, specifically.\textsuperscript{1530} Of the national estimate, 70 percent of working children had no formal education whatsoever, and 21 percent had only a primary-level education.\textsuperscript{1531} Rural-urban migration, caused by economic hardship, has led to significant increases in the school drop-out rate and the numbers of working children.\textsuperscript{1532}

The majority of working children are unpaid workers on family farms and in family enterprises.\textsuperscript{1533} Street children in urban centers work as cleaners, waste disposal workers, vendors, beggars, and shoe shiners.\textsuperscript{1534} Children as young as 7 years old work as porters, domestic servants, street vendors, rock breakers, farmers, small-scale miners, and in the fishing industry.\textsuperscript{1535} Girl children migrate from rural areas to urban centers to serve as kayayoos, porters who trade goods carried on head loads.\textsuperscript{1536} The fishing industry in Lake Volta has a high number of child laborers who are engaged in potentially hazardous work.\textsuperscript{1537}

Although the Government of Ghana has outlawed the practice of trokosi, reports indicate that there are more than 2,000 girls enslaved by the practice.\textsuperscript{1538} \textit{Trokosi} has its origins in indigenous religion

\begin{itemize}
\item\textsuperscript{1528} World Bank, \textit{World Development Indicators 2002} [CD-ROM], Washington, D.C., 2002.
\item\textsuperscript{1529} The ministry’s name has changed since the publication of these estimates. The Ministry of Employment and Social Welfare is now called The Ministry of Manpower Development and Employment. For reference to this change, see U.S. Embassy- Accra, \textit{unclassified telegram no. 2657}.
\item\textsuperscript{1530} U.S. Department of State, \textit{Country Reports- 2001: Ghana}, 327-32, Section 6d. \textsuperscript{1531} Ibid.
\item\textsuperscript{1532} Ibid.
\item\textsuperscript{1533} Sudharshan Canagarajah and Harold Coulombe, \textit{Child Labor and Schooling in Ghana}, background paper for World Bank Economic and Sector Work, Washington, D.C., 1997, 10.
\item\textsuperscript{1535} U.S. Department of State, \textit{Country Reports- 2001: Ghana}, 327-32, Section 6d.
\item\textsuperscript{1536} Seema Agarwal et al., \textit{Bearing the Weight}, Centre for Social Policy Studies, University of Ghana, Legon, May 1997, 1-3. UNICEF operates \textit{Operation End Kayaye} in Ghana. The goal of the project is to remove 2000 kayayeis from cities and return them to their villages, where they will participate in skills training. See ILO-IPEC, \textit{National Programme for the Elimination of Child Labour in Ghana}, technical report No. 7, GHA/9/05/060, Geneva, March 2002, 5.
\item\textsuperscript{1537} U.S. Embassy- Accra, \textit{unclassified telegram no. 2657}.
\item\textsuperscript{1538} Reports on the number of women and girls in the shrines vary. According to other international observers, there are no more than 100 girls serving in the Trokosi shrines in the Volta region. U.S. Department of State, \textit{Country Reports- 2001: Ghana}, 321-27, Section 5.
\end{itemize}
and involves the pledging of young girls to fetish priests by their families who fear retribution if they fail to make this sacrifice. Young girls often work for the priest for years without compensation and may be sexually abused.\textsuperscript{1539}

Ghana is also a source, transit, and destination country for trafficked children.\textsuperscript{1540} The most common forms of internal trafficking involve boys from rural areas who are taken to work in fishing communities in the Volta region or in small mines, and girls trafficked to Accra and Kumasi to work as domestics, porters and assistants to traders.\textsuperscript{1541} Children are also trafficked to neighboring countries to work as laborers, domestics or on farms.\textsuperscript{1542}

Education is compulsory for children of primary and junior secondary age, which are the equivalent of grades one to nine.\textsuperscript{1543} Although schooling is compulsory, attendance is not enforced by the authorities, and parents rarely face penalties if their children do not attend school.\textsuperscript{1544} Education can also be expensive; families must pay school fees each term, as well as buy textbooks and uniforms.\textsuperscript{1545} The Government of Ghana is currently working to provide basic education to all children by the year 2005.\textsuperscript{1546} In 1996, the gross primary enrollment rate was 75 percent.\textsuperscript{1547} Primary school attendance rates are unavailable for Ghana. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1548}

\textbf{Child Labor Laws and Enforcement}

The Children’s Act sets the minimum age for general employment at 15 years, and sets 13 years as the minimum age for light work.\textsuperscript{1549} The Children’s Act prohibits children under 18 from engaging in hazardous labor, including work in mines, quarries, manufacturing, with machinery, at sea, in


\textsuperscript{1541} U.S. Embassy- Accra, unclassified telegram no. 2657.


\textsuperscript{1543} Ibid., 321-27, Section 5.

\textsuperscript{1544} Ibid. See also U.S. Embassy- Accra, unclassified telegram no. 2657.


\textsuperscript{1546} Ibid.

\textsuperscript{1547} Net primary enrollment rates are unavailable for Ghana. World Bank, \textit{World Development Indicators 2002}.

\textsuperscript{1548} For a more detailed description on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{1549} Light work is defined as work that is not harmful to the health or development of a child and that does not affect the child’s attendance at school. See Government of Ghana, \textit{The Children’s Act, Act 560, 1998}, Part V, Employment of Children, Sub-Part I, Child labour.
bars, or in any job that involves carrying heavy loads.\footnote{1550} The legislation allows children aged 15 years and above to work in an apprenticeship if the employer provides a safe and healthy work environment, training, and tools.\footnote{1551} Employers who operate in the formal sector must keep a register with the ages of their employees, and failing to keep this register can result in a fine of 10 million cedis (USD 1,235.27).\footnote{1552}

The Ministry of Manpower Development and Employment has more than 100 labor inspectors responsible for monitoring companies’ labor practices, but the inspectors do not monitor the informal and agricultural sectors.\footnote{1553} Law enforcement authorities, including judges, labor officers and police officers, lack adequate resources or training, but there have been some arrests of traffickers.\footnote{1554} The Government of Ghana is developing a national action plan on trafficking.\footnote{1555}

The Government of Ghana has not ratified ILO Convention 138, but ratified ILO Convention 182 on June 13, 2000.\footnote{1556}

\begin{footnotes}
\footnotetext[1550]{Ibid., Part V, Employment of Children, Sub-Part I, Section 91, Child Labour.}
\footnotetext[1552]{U.S. Embassy- Accra, \textit{unclassified telegram no. 2657}. For currency conversion, see FX Converter, [online] [cited November 14, 2002]; available from http://www.oanda.com/convert/classic.}
\footnotetext[1553]{U.S. Department of State, \textit{Country Reports- 2001: Ghana}, 327-32, Section 6d}
\footnotetext[1554]{U.S. Embassy- Accra, \textit{unclassified telegram no. 2657}.}
\end{footnotes}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

From 1999 to 2000, the Government of Grenada collaborated with the Canadian International Development Agency on the Eastern Caribbean Education Reform Project to produce a film about education reform and a brochure to give practical advice to parents who want to assist their children with their school work and literacy skills. The Parliament of Grenada is currently considering legislation that would impose a 2,000 East Caribbean Dollar (USD 749) fine on any person who employs a child of school age during school hours. The government has also prepared its first comprehensive educational development plan, entitled “Strategic Plan for Educational Enhancement and Development,” to be implemented from 2002-2010.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Grenada are unavailable. Child labor is reportedly not a significant problem in Grenada, although some children work informally in the agricultural sector.

Education is compulsory in Grenada until the age of 16. In 1998, the gross primary enrollment rate was 125.5 percent, while the net primary enrollment rate was 97.5 percent. Despite high enrollment rates, factors such as poverty, poor school facilities, and the periodic need to help with family farm harvests have resulted in approximately a 7 percent absenteeism rate among primary school children.
Child Labor Laws and Enforcement

The Employment of Women, Young Persons and Children Act of 1999 sets the minimum age for employment in Grenada at 16 years, with the exception of holiday employment.\textsuperscript{1564} A person convicted of violating the Act can be subject to a fine of up to USD 10,000, up to three years imprisonment, or both.\textsuperscript{1565} The Constitution prohibits forced labor and slavery.\textsuperscript{1566} There are no laws that specifically address trafficking in persons and there were no reports that children were trafficked to, from, within, or through the country.\textsuperscript{1567} The Ministry of Labor enforces child labor laws in the formal sector through periodic checks; however, enforcement in the informal sector is not stringent.\textsuperscript{1568} The Government of Grenada has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{1569}


\textsuperscript{1565} \textit{Employment of Women, Young Persons and Children Act, 1999}, Article 35 as cited in Hayes, facsimile communication, May 12, 2001.


\textsuperscript{1568} Ibid., 2815-16, Section 6d.

**Guatemala**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Guatemala has been a member of ILO-IPEC since 1996. In 2001, the government implemented the National Plan for the Prevention and Eradication of Child Labor and the Protection of the Adolescent Worker. In addition, the Government of Guatemala set a goal to reduce the number of child workers by 10 percent by the year 2004 in its 2000-2004 agenda for social programs. In July 2001, following a report released by the UN Commission on Human Rights investigating the sale of children, child prostitution and pornography in Guatemala, the Secretariat of Social Welfare published a National Plan of Action focusing specifically on the commercial sexual exploitation of children and adolescents.

ILO-IPEC has focused on national policy activities in four departments, 11 cities, and 40 townships and included child labor in curriculum review and teaching exercises at the national level, as well as in reforms to the Labor Code. Guatemala is participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation. The government is also collaborating with ILO-IPEC on several USDOL-funded projects aimed at combating child labor in the fireworks, stone quarrying, coffee (regional project), and broccoli sectors and has completed

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1574 UNESCO, *Contemporary Forms of Slavery*, 5.

1575 Though the project focuses primarily on awareness raising, institutional capacity building, and international and national coordination, in Guatemala, this project will target 150 girls in the Mexico/Guatemala border area for direct services, such as education, social services, and health care. See ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, project document, Geneva, 2002.
work with ILO-IPEC’s SIMPOC to collect data on child labor. Also, ILO-IPEC is carrying out a project aimed at raising awareness, collecting information, and providing direct attention to children involved in domestic work in the homes of third parties. A study of child carpenters in the Chiantla Municipality, Huehuetenango, was conducted in 2000 and 2001. In May 2002, ILO-IPEC completed a Rapid Assessment investigating child labor in garbage dumps in Guatemala City. It is expected that the many projects supported by ILO-IPEC will serve as models for the institutionalization and expansion of programs as part of the State’s public policy. The Ministry of Labor, the Unit of the Protection of Minors at Work, UNICEF and ILO-IPEC have joined efforts to empower local leaders to monitor and run action programs.

The Ministry of Education addresses child labor by providing scholarships to children in need, implementing school feeding programs in rural areas, and administering extra-curricular programs. The Ministry of Education has also implemented a bilingual education project since the 1980s and has tried to reduce the indirect costs of education by providing a bag of school

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1581 Ibid., 6.

supplies to all children in primary school and eliminating their matriculation fees.\textsuperscript{1583} USAID, the Work Bank and UNICEF also support primary education in Guatemala.\textsuperscript{1584}

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 14.2 percent of children ages 10 to 14 years in Guatemala were working.\textsuperscript{1585} In December 2000, the United Nations Mission for the Verification of Human Rights in Guatemala found that 34 percent of children between the ages of 7 and 14 were working.\textsuperscript{1586} A 2001 government report found that three out of four working children in Guatemala are employed in rural areas and labor force participation rates of children are highest in areas with a large indigenous population.\textsuperscript{1587} Children work on family farms and help harvest commercial crops such as coffee, sugarcane and broccoli.\textsuperscript{1588} Children are also employed as domestic servants, shoeshine boys, beggars, street performers, construction workers, and in the fireworks industry, family businesses, stone quarries, and the trafficking and production of drugs.\textsuperscript{1589}

\textsuperscript{1583} Macz and Cojti, interview, August 16, 2000.


\textsuperscript{1587} Ministry of Labor and Social Security, *Plan Nacional para la Prevención y Erradicación del Trabajo Infantil*, 5-6.


UNICEF estimates that nearly 10,000 children currently live on the streets. These children are particularly vulnerable to sexual exploitation\textsuperscript{1590}. Children in Guatemala tend to be drawn into trafficking for purposes of prostitution along the country’s borders.\textsuperscript{1591} Guatemala is also a country of destination and transit for trafficked children.\textsuperscript{1592} Trafficked children come from El Salvador, Honduras, Mexico, Nicaragua and Ecuador.\textsuperscript{1593}

Education is free and compulsory in Guatemala for six years.\textsuperscript{1594} In 1998, the gross primary enrollment rate was 82.7 percent and the net primary enrollment rate was 101.9 percent.\textsuperscript{1595} Primary school attendance rates are unavailable for Guatemala. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1596} Only 30 percent of students who begin primary school in Guatemala complete the full course of primary education. Children who do not attend school are concentrated in rural areas, and a disproportionate number of them are indigenous girls.\textsuperscript{1597}

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years.\textsuperscript{1598} In some exceptional cases, the Labor Inspection Agency can provide work permits to children under the age of 14, provided that the work is related to an apprenticeship, is light work of short duration and intensity, is necessary due to conditions of extreme poverty within the child’s family, and enables the child to


\textsuperscript{1595} World Bank, *World Development Indicators 2002*.

\textsuperscript{1596} For a more detailed description on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{1598} *Código de Trabajo de la República de Guatemala, 1996*, 53, Article 148 and Article 2, footnote 8.
meet compulsory education requirements in some way. Children are prohibited from working at night, overtime and in places that are unsafe and dangerous. Children may not work in bars or in other establishments where alcoholic beverages are served. Due to the ineffectiveness of labor inspection and labor court systems, labor laws governing the employment of minors are not well enforced.

Article 188 of the Penal Code prohibits child pornography and prostitution. Procuring and inducing a person into prostitution are crimes that can result in either fines or imprisonment, with heavier penalties if victims under 12 years old are involved. Trafficking in persons is defined as promoting, facilitating, or fostering the transportation of an individual to or from Guatemala to engage in prostitution. Trafficking is punishable by imprisonment of one to three years and a fine. Although no laws specifically prohibit bonded labor by children, the Constitution prohibits forced or compulsory labor. Due to insufficient resources and corruption, borders tend to be inadequately monitored and trafficking laws are rarely enforced.


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1603 Ibid. See also Protection Project, “Guatemala.”

1604 U.S. Embassy- Guatemala City, unclassified telegram no. 2507. See also Protection Project, “Guatemala.”


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1997, the Government of Guinea held a workshop to raise awareness about child labor, and with the help of the ILO and UNICEF, established a Child Labor Steering Committee chaired by the Ministry of Social Affairs and the Promotion of Women and Children (MSAPWC). Following the workshop, UNICEF financed an information consolidation project to collect all existing information on child labor, and afterwards, a synthesis document detailing the existing information was published in 1998. Since the border conflicts in 2000, however, the steering committee’s regular meetings have come to a halt, and the government’s budget priorities have shifted more heavily toward national defense. With the exception of a few government-supported sensitization programs, such as the MSAPWC children’s rights campaign with UNICEF, most current child labor initiatives are implemented by NGOs independent of government support. The government admittedly lacks the capacity to take progressive steps to combat child labor, and in 2002, the Ministry of Social Affairs requested technical assistance from ILO-IPEC to address the problem.

In 1990, the Government of Guinea initiated the Education Sector Adjustment Program to improve the quality of the education system. The reform program is ongoing, and the government is continuing to commit funds for teacher training, school construction and the provision of books and materials. UNICEF and USAID are working with the government to implement youth programs and education initiatives. UNICEF is promoting youth participation in regional education conferences, as well as working to provide refugee children and other war-affected youth with access to education. USAID is assisting the Ministry of Education to implement its primary

1611 Keita and Seck, interview, August 13, 2002.
1612 BruceMariama Aribot, Ministry of Social Affairs and the Promotion of Women and Children, letter to the Geneva Director of ILO-IPEC, 2002.
education reforms. In addition, in 2001, the World Bank began implementing a USD 70 million loan program to assist the government’s education reform efforts.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 31.1 percent of children ages 10 to 14 years in Guinea were working. Children begin working beside their parents at a young age, often at 5 years in rural areas. The majority of working children are found in the domestic or informal sectors, carrying out activities such as subsistence farming, petty commerce, fishing, and small-scale mining. Children also work in gold and diamond mines, granite and sand quarries, and as apprentices to mechanics, electricians, and plumbers, among others professions.

There is no statistical data available on the number of street children in Guinea, although children work in the streets selling cheap goods for traders, carrying baggage or shining shoes.

Commercial sexual exploitation of children occurs and is on the rise. While there have been scattered reports of trafficking in children, there is no available information on the extent of the problem. In 2000, UNICEF reported incidents of trafficking among refugee populations in four prefectures in Guinea’s forest region. In July 2000, 33 young Nigerian girls destined for Europe were released to the Nigerian Embassy by Guinean officials. Furthermore, internal

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1618 World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002. In 1997, the Ministry of Planning estimated that about 48 percent of children under the age of 15 were working. These children account for nearly 20 percent of the total working population and 26 percent of all agricultural workers. The Ministry of Planning estimates also suggested that child labor is much more prevalent in rural than urban areas. The Ministry estimated that in rural areas, approximately 66 percent of children ages 7 to 14 and 91 percent ages 15 to 19 were working. In urban areas, the numbers were approximately 19 percent and 50 percent, respectively. U.S. Department of State, Country Reports on Human Rights Practices- 2001: Guinea, Washington, D.C., March 4, 2002, 345-49, [cited September 3, 2002]; available from http://www.state.gov/g/drl/rls/hrrpt/2001/af/8383.htm.


trafficking occurs from rural to urban areas. The volunteers were self-organized groups formed by villagers to combat border insurgencies. Although the groups were not officially part of the Guinean military, the army provided guns. Multiple sources stated that children were most likely involved. See Yansane and Pasti, interview, August 13, 2002. See also Guinean Human Rights Organization, interview with USDOL official, August 12, 2002. See also U.S. Embassy- Conakry, unclassified telegram no. 2704, 2001.

Public education is free and compulsory for six years, from the age of 7 to 13 years. In 1998, the gross primary enrollment rate was 58.9 percent, and the net primary enrollment rate was 45.7 percent. Enrollment remains substantially lower among girls than boys. In 1998, the gross primary enrollment rate was 45.5 percent for girls, compared to 71.9 percent for boys. In 1999, primary school attendance was 40 percent. Children, particularly girls, may not attend school or drop-out in order to assist their parents with domestic work or agriculture, and in general, enrollment rates are lower in rural areas. Government resources for education are limited; there are not enough school facilities to adequately serve the population of school-age children, and the availability of school supplies and equipment is poor.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years, although children under the age of 16 can work with an authority’s consent. Based on the Labor Code, apprentices may begin to work at 14 years of age. Workers under the age of 18 are not permitted to work at night or work more than 10 consecutive hours. The Labor Code also prohibits forced or bonded labor and

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1626 U.S. Embassy- Conakry, unclassified telegram no. 2368.
1627 The volunteers were self-organized groups formed by villagers to combat border insurgencies. Although the groups were not officially part of the Guinean military, the army provided guns. Multiple sources stated that children were most likely involved. See Yansane and Pasti, interview, August 13, 2002. See also Guinean Human Rights Organization, interview with USDOL official, August 12, 2002. See also U.S. Embassy- Conakry, unclassified telegram no. 2704, 2001.
1628 Republic of Guinea, Rapport relatif au principe de l’abolition effective du travail des enfants, Conakry, September 4-8, 2000, 3.
1630 World Bank, World Development Indicators 2002.
1631 Ibid.
1632 Ministry of Pre-University Level Teaching and Civil Education, Schooling in Guinea, Findings from the GDHS-2 1999, Conakry, Guinea, January 17, 2001, 17.
1633 UNICEF, Situation Des Enfants et Des Femmes, 70. See also Guinean Teacher’s Union (SLECG/FSPE), interview with USDOL official, August 12, 2002.
1634 Fofana, USAID interview, August 12, 2002.
1635 UNICEF, Situation Des Enfants et Des Femmes, 68. According to Teacher’s Union representatives, it is common for classes to run as large as 100 students, with only one teacher. See Guinean Teacher’s Union (SLECG/FSPE), interview, August 12, 2002.
1636 Code du Travail de la Republique de Guinee, 1988, Article 5.
1637 The penalty for an infraction of the law is a fine of 30,000 to 600,000 GFN (USD 16 to 314). See Ibid., Articles 31 and 145, 48. For currency conversion see FX Converter, [online] [cited November 12, 2002]; available from http://www.carosta.de/frames/convert.htm.
hazardous work by children under 18 years.¹⁶³⁸ Guinea’s Penal Code prohibits trafficking of persons, the exploitation of vulnerable persons for unpaid or underpaid labor,¹⁶³⁹ and procurement or solicitation for the purposes of prostitution.¹⁶⁴⁰ The official age for voluntary recruitment or conscription into the armed forces is 18 years.¹⁶⁴¹

The government has acknowledged that the implementation and enforcement of labor legislation remains weak.¹⁶⁴² The Labor Inspectorate within the Ministry of Labor has one inspector and several assistants in each prefecture to enforce relevant legislation; however, no cases of child labor were reported from January to August 2002.¹⁶⁴³ According to the Labor Code, punishment for infractions of child labor laws range from a fine of up to 800,000 GNF (USD 420) to imprisonment of no more than two months.¹⁶⁴⁴ The penalty for trafficking is 5 to 10 years of imprisonment.¹⁶⁴⁵

The Government of Guinea has not ratified ILO Convention 138 or ILO Convention 182.¹⁶⁴⁶

¹⁶³⁸ Section 187 of the Labor Code prohibits hazardous work, defined as any work likely to endanger the health, safety, or morals of children. The Ministry of Labor determines the exact jobs that are considered hazardous. See Code du Travail, 1988. Articles 2, 186 and 87, 205.

¹⁶³⁹ U.S. Embassy- Conakry, unclassified telegram no. 2368.


¹⁶⁴² UN Committee on the Rights of the Child, Initial Reports of States Parties: Guinea, para. 119.

¹⁶⁴³ Bengaly Camara, Deputy Inspector of Labor, Inspecteur-Generale du Travail, interview with USDOL official, August 12, 2002.


¹⁶⁴⁵ U.S. Embassy- Conakry, unclassified telegram no. 2368.

Guinea-Bissau

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Guinea-Bissau has noted that child labor occurs and is harmful to the development of those involved, but states that it lacks the resources or mechanisms to adequately address the problem. Small-scale child labor initiatives that focus on literacy, education alternatives and technical training are being implemented by NGOs.

The government is implementing a basic education project, called “FIRKIDJA,” which is designed to improve both access to schools and the quality of education, promote girls’ schooling, and strengthen educational management. The World Bank is one of the organizations assisting the Ministry of Education to achieve these goals through a USD 14.3 million Basic Education Support loan project. In addition, UNICEF is supporting the government with a program focusing on promoting female literacy and girls’ access to education in one targeted region of the country.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 65.4 percent of children ages 5 to 14 years in Guinea-Bissau were working. Children work in street trading, farming, and domestic labor. According to the

1648 Ibid., para. 252.
1649 Ibid., para. 29.
1652 In the 2000 study, children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. It was estimated that 5.1 percent of children ages 5 to 14 engage in paid work; 9.7 percent participate in unpaid work for someone other than a household member; and, overall, 65.4 percent of children are working in some capacity. Government of Guinea-Bissau, Multiple Indicator Cluster Survey (MICS): Guinea-Bissau, UNICEF, December 2000, [cited August 28, 2002]; available from www.childinfo.org/MICS2/newreports/guineabissau/guineabissau.PDF. See also Government of Guinea-Bissau, Multiple Indicator Cluster Survey (MICS) 2: Guinea Bissau, UNICEF, 2000, [cited August 28, 2002]; available from http://www.ucw-project.org/resources/index.html.
government, the number of children working in the informal sector – often in difficult or dangerous conditions – is increasing considerably.\textsuperscript{1654} In addition, commercial sexual exploitation of children occurs, but the extent of the problem is unknown.\textsuperscript{1655} Children were reported to be involved in the recent civil war in Guinea-Bissau.\textsuperscript{1656}

Education is compulsory from the age of 7 to 13 years.\textsuperscript{1657} In 1998, the gross primary enrollment rate was 53.5 percent, with a higher enrollment rate for males (67.7 percent) compared to females (40 percent).\textsuperscript{1658} The number of classrooms and schools is insufficient, particularly in rural areas where the majority of the population resides. According to UNICEF, 25 percent of rural schools offer only two grades, and 50 percent offer only four grades.\textsuperscript{1659} Girls face additional challenges to receiving an education, as they are often kept home to assist with domestic work, encouraged to marry at an early age,\textsuperscript{1660} and banned from schools when pregnant.\textsuperscript{1661}

Guinea-Bissau is continuing to recover from the civil conflict in 1998 and 1999, which displaced one-third of the population, destroyed many schools, and prevented most young children from attending school for at least half a year.\textsuperscript{1662}

**Child Labor Laws and Enforcement**

The General Labor Law sets the minimum age for employment at 14 years for factory work and 18 years for heavy or dangerous labor, including work in mines.\textsuperscript{1663} The law prohibits forced or bonded labor.\textsuperscript{1664} There are no laws that specifically prohibit the commercial sexual exploitation of children.\textsuperscript{1665} The practice of prostitution for lucrative purposes is illegal in Guinea-Bissau, as is the

\begin{footnotesize}
\begin{enumerate}
\item UN Committee on the Rights of the Child, *Initial Reports of States Parties*, para. 250.
\item Prostitution among young people is reported to be reaching alarming proportions. Ibid., para. 253.
\item UNICEF, *Girls' Education in Guinea Bissau*.
\item Ibid. See also UN Committee on the Rights of the Child, *Initial Reports of States Parties*, para 33.
\item UNICEF, *Girls' Education in Guinea Bissau*.
\item Ibid., 355-57, Section 6c.
\end{enumerate}
\end{footnotesize}
use of violence, threats, or other coercive actions to transport individuals to foreign countries. According to Decree 20/83, boys under 16 years may volunteer for the armed forces, and all citizens between the ages of 18 and 25 must perform compulsory military service.

The Ministry of Justice and the Ministry of Civil Service and Labor are responsible for enforcing labor laws in the formal sector, but due to economic conditions, formal sector employment of any kind is virtually nonexistent. There is no information available on the enforcement of laws pertaining to trafficking or commercial sexual exploitation of children.

The Government of Guinea-Bissau has not ratified either ILO Convention 138 or ILO Convention 182.

1666 UN Committee on the Rights of the Child, Initial Reports of States Parties, para. 259-61.
1667 Ibid., para. 137.
Guyana

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Officials of the Government of Guyana have attended training workshops aimed at building the capacity of the national statistics agency and the Ministry of Labor to collect and disseminate data on child labor. The government has established a drop-in center for street children, and is also building a home for street children.

During the 1990s, the Government of Guyana implemented a Primary Education Improvement Project that enhanced teacher training, produced new primary school textbooks for each pupil and constructed 35 new schools, rehabilitating 64 more. By 1998, public spending on education was increased to 14 percent of the budget, reaching 5.6 percent of GDP. In 2002, the government received support from the Inter-American Development Bank to modernize and strengthen the country’s basic education system. In November 2002, the Government of Guyana was selected to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Guyana are unavailable. There is a substantial informal sector, which employs 25 percent of the workforce. UNICEF reports that child labor is a serious issue in the informal sector, and it is common to see children engaged in

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1674 Ibid.


street trading. There are reports that children are involved in prostitution in tourist areas, ports and the capital city of Georgetown.

Primary education in Guyana is compulsory and free. In 1998, the gross primary enrollment rate was 102 percent, and the net primary enrollment rate was 85.4 percent. Attendance rates are not available for Guyana. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Factories Act and Employment of Young Persons and Children Act of 1999 sets the minimum age for employment at 14 years. Children under the age of 18 are prohibited from work that could jeopardize their health, safety, or morals. Forced labor is prohibited by the Constitution. The Criminal Law Offences Act protects children from sexual abuse and exploitation, establishing the age of consent for sexual activity at 13 years. Prostitution of a child under 13 years is illegal according to the act, but it is a defense for the accused to claim that he/she believed the child to be at least 13 years. The Ministry of Labor lacks sufficient inspectors to enforce child labor laws effectively.


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1682 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


Haiti

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Haiti became a member of ILO-IPEC in 1999 and requested ILO-IPEC’s assistance to address the problem of child domestic workers (known as restaveks, in Haitian Creole).1688 With funding from USDOL, ILO-IPEC is conducting a three-year country program intended to strengthen the capacity of government ministries and institutions responsible for restaveks, raise public awareness about the issue, remove children from exploitative work, and provide them with education alternatives.1689 The Ministry of Social Affairs implements a program called SOS Timoun, under which reports of child abuse may be reported through a hotline number, and the Ministry’s Institute of Welfare and Research (IBESR) has the authority to withdraw children from abusive situations.1690 The government has also sponsored public awareness measures on the topic of mistreatment of restaveks, specifically national television and radio advertisements.1691 In addition, the government is working with UNICEF to implement a project assisting child domestic workers through the provision of vocational training.1692

While the majority of Haiti’s social welfare budget is reported to be used to combat child abuse,1693 government programs reach only a fraction of the children exploited through internal trafficking and domestic labor. The Ministry of Social Affairs reported that it served 158 children in 2001, a decrease from the 760 children removed from abusive households in 2000.1694 In addition, child domestic service is deeply ingrained in Haitian tradition and culture, which presents an impediment to government efforts and social change.

The ministry is also working


1689 Ibid.


1693 Ibid.

1694 U.S. Department of State, Trafficking in Persons Report: Haiti, 56.

with NGOs, including UNICEF, to build new schools and implement alternative education initiatives.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 22.8 percent of children ages 10 to 14 years in Haiti were working. Due to high unemployment and job competition, there is very little formal-sector child labor; children are known to work on family farms and in the informal sector in order to supplement their parents’ income.

The most common worst form of child labor in Haiti is the traditional practice of trafficking children from poor, rural areas to cities for work as domestic servants. According to UNICEF, approximately 300,000 children work as *restaveks*, 80 percent of whom are girls under 14 years of age. Another survey by the National Coalition for Haitian Rights estimated that 1 in 10 children in Haiti is a domestic worker. *Restaveks* are among the most vulnerable and exploited of all children in Haiti. Most of these children work without compensation, reach the age of 15, 16, or 17 years without ever having attended school, and frequently undergo physical or sexual abuse.

UNICEF estimates that there are approximately 5,000 street children in Haiti, including those who escaped from domestic servitude. Anecdotal evidence suggests that some street children work as prostitutes. There are also reports of commercial sexual exploitation of children in the capital and other major towns, in connection with the tourist industry. In 2002, a joint IOM/UNICEF study found that between 2,000 and 3,000 Haitian children are trafficked each year to the Dominican Republic for work as beggars or in the agriculture and construction sectors.

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1697 Paul Bien-Aime, Minister of Education, interview with USDOL official, August 1, 2000.


1700 UNICEF, *Haiti Faces Major Education Challenge*.


1703 UNICEF, *Haiti Faces Major Education Challenge*.


1706 ILO-IPEC official, electronic communication to USDOL official, August 16, 2002.
According to the Constitution, primary schooling is free and compulsory.\textsuperscript{1707} Education is required from the age of 6 to 15 years.\textsuperscript{1708} In 1998, the gross primary enrollment rate was 151.6 percent, and the net primary enrollment rate was 79.7 percent.\textsuperscript{1709} However, according to UNICEF, almost two-thirds of Haitian children drop out of school before completing the full six years of compulsory education, and over one million primary school children lack access to schooling.\textsuperscript{1710} Primary school attendance rates are unavailable for Haiti. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1711} School facilities are in disrepair, and overcrowding leaves 75 percent of students without a seat in the classroom.\textsuperscript{1712} In addition, costs associated with school, including uniforms and books, are reported to prevent many children in rural areas from attending.\textsuperscript{1713}

**Child Labor Laws and Enforcement**

The Labor Code of 1984 prohibits children under 15 years of age from working in industrial, agricultural, or commercial enterprises, and establishes 12 years as the minimum age for domestic work and 14 years as the minimum age for apprenticeships.\textsuperscript{1714} Furthermore, the Labor Code stipulates that persons employing child domestic servants must obtain a permit from IBESR and provide the child with housing, clothing and food.\textsuperscript{1715} The Labor Code also bans hazardous work for minors and night work in industrial jobs for children under 18 years, and additional provisions regulate the employment of children between 15 and 18 years of age, and prohibit forced labor.\textsuperscript{1716} The law does not specifically prohibit trafficking or prostitution, although the Criminal Code prohibits engaging in indecent behavior with a young person under the age of 21.\textsuperscript{1717}

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\textsuperscript{1709} World Bank, *World Development Indicators 2002*.

\textsuperscript{1710} UNICEF, *Haiti Faces Major Education Challenge*.

\textsuperscript{1711} For a more detailed description on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{1712} UNICEF, *Haiti Faces Major Education Challenge*.


\textsuperscript{1715} Ibid., Articles 343 and 45.

\textsuperscript{1716} Children under age 18 are required to undergo a medical examination before working in an enterprise. Also, children between the ages of 15 and 18 are required to obtain a work permit for agricultural, industrial, or commercial labor, and employers must retain a copy of the permit, along with additional personal information on the employee, in an official register. Ibid., Articles 333, 35, 36-39.

\textsuperscript{1717} Ibid., Article 4.

The Ministry of Social Affairs is responsible for enforcing all child labor legislation, and the IBESR is charged with coordinating the implementation of child labor laws with other government agencies. Child labor laws, particularly child domestic labor regulations, are not enforced. It is reported that the IBESR does not issue child domestic worker permits, although it is unclear whether this is due to families’ ignorance or disregard for the law, or if the IBESR does not facilitate the process of obtaining permission. The IBESR conducted just over 120 child labor inspections a year between 1996 and 2000, all for cases involving child domestic workers who were subsequently removed from abusive households and placed in shelters or in the care of NGOs. However, none of the inspections resulted in fines, penalties, or convictions against the households employing these children. The government does not actively investigate cases of trafficking, and there have been no prosecutions of traffickers.

The Government of Haiti has not ratified either ILO Convention 138 or ILO Convention 182.

1719 U.S. Embassy-Port au Prince, unclassified telegram no. 2570.
1720 Ibid. See also U.S. Department of State, Trafficking in Persons Report: Haiti.
1722 U.S. Embassy-Port au Prince, unclassified telegram no. 2570.
Honduras

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Honduras has been a member of ILO-IPEC since 1996. In 1998, the government established the National Commission for the Gradual and Progressive Eradication of Child Labor. The National Commission coordinates all activities to combat child labor and to mainstream working minors into educational programs. The commission is currently participating in an ILO-IPEC project, with funding from USDOL, to prevent and remove children from full-time work in the melon sector of Choluteca and in commercial coffee farms in Santa Barbara. The government also collaborates with the NGO Compartir on a child labor project in the garbage dump of Tegucigalpa. With technical assistance from ILO-IPEC and funding from USDOL, the Honduras National Institute of Statistics is working in consultation with the Ministry of Labor and Social Security (MOL) to conduct a national child labor survey. Honduras is also participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation. With other donor funding, ILO-IPEC is carrying out a project aimed at raising awareness, collecting information and providing direct services to children involved in domestic work in the homes of third parties.


1726 Decreto Ejecutivo Número PCM-017-98, Presidencia de la República (Honduras: 1998), 2 and 4, decreed the creation of the National Commission. Also, in June 2000, the Ministry of Labor and Social Security published a report on its efforts and focus on inspection, capacity building, surveys, awareness-raising, and coordination between agencies. See U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2159*, June 2000. See also Secretary of Labor and Social Security, *Informe Trabajo Infantil en Honduras*, 2000.


1730 In Honduras, this project will focus primarily on regional collaboration, awareness raising, institutional capacity building, and coordination. ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, project document, RLA/02/P51/USA, Geneva, 2002.

1731 ILO official, electronic correspondence to USDOL official, September 16, 2002.
In June 2001, the Honduran Private Business Council promoted a Declaration signed by the MOL, the First Lady of Honduras, and the ILO to immediately eradicate the worst forms of child labor. In September 2001, in collaboration with the Honduran Private Business Council, the MOL implemented an education campaign to increase industry awareness on the worst forms of child labor. Within the same year, the Legislative Assembly published specific regulations on child labor, which outline activities prohibited for children and adolescents and sanctions for employers who violate these rules and regulations. The Government of Honduras also published its National Plan of Action for the Gradual and Progressive Eradication of Child Labor in 2001.

The government has also collaborated with the Spanish Agency for International Cooperation on public awareness and information collection strategies on child labor; with UNICEF on capacity building and public awareness activities; and with Save the Children–UK on activities related to its national plan of action and child labor in the diving sector.

The government has initiated several programs in order to improve children’s access to quality basic education. The Ministry of Education provides very poor families with stipends for school supplies and makes available radio and long distance learning for children in distant rural areas with few schools. Regional committees of child defense volunteers also try to convince parents to send their children to school. The Ministry of Education has developed an Education for All plan to increase access to primary education; improve the quality of pre-school and primary education by encouraging new teaching modalities, improving curriculum, and reducing drop-out rates and desertion; reduce illiteracy; and expand basic education services and training in essential skills for youth.

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1736 Secretary of Labor and Social Security, Informe Trabajo Infantil en Honduras.

1737 U.S. Embassy- Tegucigalpa, unclassified telegram no. 3211.

1738 Ibid.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 7.1 percent of children ages 10 to 14 years in Honduras were working. According to a study undertaken by the Ministry of Labor and Social Security in association with UNICEF and the Honduran Institute for Childhood and the Family, nearly half of all working children work in agriculture, cattle farming, or fishing. Twenty percent of working children are employed in manufacturing, mining, electricity, gas, and construction. The remaining 30 percent of working children are employed in commerce, transportation, finance, or service industries (including domestic service). Two-thirds of working children work without compensation to supplement family incomes derived from family farms or for small businesses. Child labor in Honduras increased significantly after Hurricane Mitch in 1998.

According to the Government of Honduras, the worst forms of child labor in Honduras include: prostitution (particularly in the tourist sector along the North Coast and other areas); fireworks manufacturing (in Copan); marine diving (on lobster boats in the Mosquitia coast); work in limestone quarries and garbage dumps (in the two large cities of Tegucigalpa and San Pedro Sula); mining and dirt extraction (South and East regions); the sale and handling of pesticides (Copan, La Ceiba, and Choluteca); construction; and agricultural work (in the coffee and melon industries). Children have also been used to sell drugs in Olancho and Comayagua.

There is evidence that some children engage in prostitution. Honduras is primarily a source country for girls trafficked for commercial sexual exploitation. Honduran girls are trafficked by criminal groups to Mexico and other Central American countries; and boys have been reportedly

1741 U.S. Embassy- Tegucigalpa, unclassified telegram no. 2159.
1742 FUNPADEM, Pobreza y Subsistencia: Trabajo Infantil y Adolescente en los Departamentos de Cortes, Copan, y Santa Barbara, San José, Costa Rica, 2001, 56-60. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 2159.
1743 U.S. Embassy- Tegucigalpa, unclassified telegram no. 2159.
1745 National Commision for the Eradication of Child Labor, Plan de Acción Nacional, 97-98. See also U.S. Embassy-Tegucigalpa, unclassified telegram no. 3211.
trafficked to Canada for the sale and transportation of drugs.\textsuperscript{1748} There have been reports that children from Honduras have also been used as beggars to support traffickers in San Salvador, El Salvador.\textsuperscript{1749}

Education is free and compulsory\textsuperscript{1750} in Honduras until the age of 13.\textsuperscript{1751} In 2001, the Government of Honduras allocated 9.6 percent of its total yearly expenditure to basic education.\textsuperscript{1752} In 1999, the gross primary enrollment rate was 97.3 percent, and the net primary enrollment rate was 85.7 percent.\textsuperscript{1753} Attendance rates are not available for Honduras. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1754} Among working children, an estimated 34 percent complete primary school.\textsuperscript{1755} The average number of years of schooling in Honduras is 4.8 years (6.7 in urban areas and 3 in rural areas).\textsuperscript{1756}

A lack of schools prevents many children in Honduras from receiving an education, as do costs such as enrollment fees, school uniforms and transportation.\textsuperscript{1757} The government estimates that 65,000 children ages 6 through 12 fail to receive an education due to a lack of financial resources and because their parents rely on them to work in order to help support the family.\textsuperscript{1758} The poor quality of education and the lack of vocational education are other areas of concern.\textsuperscript{1759}


\textsuperscript{1751} U.S. Department of State, \textit{Country Reports- 2001: Honduras}, 2900-03, Section 5. See also Government of Honduras, \textit{Temas e Indicadores Sobre Trabajo Infantil en Honduras}, September 2001, 8, which states that 14 is the average age for finishing primary school.


\textsuperscript{1754} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{1755} ILO-IPEC, \textit{Prevention and Elimination of Child Labor in the Melon Plantations}, project proposal, 2.

\textsuperscript{1756} FUNPADEM, \textit{Pobreza y Subsistencia}, 63.

\textsuperscript{1757} ILO-IPEC, \textit{Prevention and Elimination of Child Labor in the Melon Plantations}, project proposal, 2.


\textsuperscript{1759} ILO-IPEC, \textit{Prevention and Elimination of Child Labor in the Melon Plantations}, project proposal, 2.
Child Labor Laws and Enforcement

The Constitution and the Labor Code set the minimum age for employment at 16 years, with the exception that a child who is 15 years of age is permitted to work with parental consent and Ministry of Labor permission. An employer who legally hires a 15-year-old must certify that the child has finished, or is finishing, compulsory schooling. Children under the age of 16 are prohibited from night work and from working in clubs, theaters, circuses, cafes, bars, in establishments that serve alcoholic beverages, or in jobs that have been determined to be unhealthy or dangerous. Children under age 16 are limited to working six hours a day and 30 hours a week. The Children’s Code prohibits a child of 14 years of age or younger from working, even with parental permission, and establishes prison sentences of three to five years for individuals who allow children to work illegally.

The Minor’s Code criminalizes child prostitution. Children 18 years and younger are protected under this law against sexual exploitation, child prostitution and child pornography. Violation of these laws can carry five to eight years imprisonment. The Penal Code also includes provisions that prohibit trafficking in persons, which can carry six to nine years imprisonment. However, prosecution and law enforcement efforts are weak due to corruption and lack of resources.

The MOL is responsible for conducting child labor inspections. The Ministry has an insufficient number of inspectors for the entire country, and is not able to effectively enforce laws in rural areas or against small companies. Despite these problems, in 2001, the ministry

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1762 ILO-IPEC Regional Office for Latin America and the Caribbean, HONDURAS: Sistema Regional de Información sobre Trabajo Infantil, San Jose, 1999, 19-20.
1766 Government of Honduras, Temas e Indicadores Sobre Trabajo Infantil en Honduras, 7.
1769 Secretary of Labor and Social Security, Informe Trabajo Infantil en Honduras.
1770 U.S. Embassy- Tegucigalpa, unclassified telegram no. 3211.
opened a regional office and reinitiated inspections on lobster boats in the Mosquitia area, where boat captains illegally employ boy divers. Early in 2001, the MOL conducted a special inspection of the melon industry in order to uncover the incidence of child labor in that sector.1772


1772 U.S. Embassy-Tegucigalpa, unclassified telegram no. 3211.

### Hungary

#### Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Hungary is working with IOM and women’s rights organizations to implement a trafficking prevention program in schools.\(^{1774}\) In addition, the government provides partial financial support for a trafficking information hotline through the public fund “For a Safe Hungary.”\(^{1775}\) In 1997, Hungary implemented a program for border guards that had a particular emphasis on preventing trafficking in children and young adults.\(^{1776}\) In 1999, the government amended the Act of Public Education to implement an educational improvement project, which included measures to increase access to schools.\(^{1777}\) Also in 1999, an Office of the Ministerial Ombudsman for Education Affairs was established to respond to problems related to accessing education, and to address concerns submitted by parents, administrators, teachers, or students.\(^{1778}\)

#### Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Hungary are unavailable.\(^{1779}\) There is little evidence of child labor in the formal sector, although occasional cases are reported.\(^{1780}\) Children work as beggars in urban areas,\(^{1781}\) and also as prostitutes, according to Budapest Police, although the scope of the problem is unknown.\(^{1782}\) Hungary is primarily a transit country, but also a source and destination country, for trafficking in persons, including children. Girls are trafficked from Romania, Ukraine, Moldova, Poland, Yugoslavia, and China to and

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\(^{1780}\) U.S. Embassy- Budapest, *unclassified telegram no. 3455*.

\(^{1781}\) Ibid.

through Hungary to Western Europe and the United States for the purposes of commercial sexual exploitation.\textsuperscript{1783}

The Education Act establishes 10 years of compulsory education, ending at the age of 16.\textsuperscript{1784} Primary education is free, according to the Constitution.\textsuperscript{1785} In 1998, the gross primary enrollment rate was 102.6 percent and the net primary enrollment rate was 81.8 percent.\textsuperscript{1786} Attendance rates are not available for Hungary. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1787} Schools in ethnic Roma communities are in markedly poorer condition, and only a reported 1.6 percent of Roma children graduate from high school.\textsuperscript{1788}

**Child Labor Laws and Enforcement**

The Labor Code of 1992 states that children may only be employed when they have finished their compulsory education, which effectively sets the minimum age for work at 16 years.\textsuperscript{1789} However, children who are at least 14 years old are permitted to work if the work does not interfere with schooling or if they are exempt from attending school.\textsuperscript{1790} All children under age 16 must obtain the consent of a legal guardian before entering into an employment contract.\textsuperscript{1791} The Labor Code specifically prohibits children under the age of 18 from working in jobs that may be detrimental to their physical well-being or development, in night work, or in overtime work.\textsuperscript{1792} Forced labor is prohibited by law.\textsuperscript{1793} According to the 1999 Act of Offenses, persuading or soliciting another to engage in prostitution is illegal, as is working in a brothel under the age of 18. The punishment is two to eight years imprisonment.\textsuperscript{1794} The Criminal Code has provisions against kidnapping and violations of personal freedom and smuggling of persons.\textsuperscript{1795}

\begin{footnotesize}
\begin{enumerate}
\item For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\item Ibid., Section 72(4).
\item Ibid., Section 72(2).
\item Ibid., Sections 75 and 121.
\end{enumerate}
\end{footnotesize}
The National Work Safety and Labor Affairs Supervision Office (OMMF) has 20 county and local offices to enforce the labor code, including provisions related to child labor. OMMF inspectors respond to complaints and conduct random spot checks to ensure that employers adhere to labor regulations. Complex labor violations may be presented to the labor courts. Violations of labor regulations are misdemeanors punishable by a fine ranging from approximately USD 160 to 9,000. Child labor laws are reported to be enforced.\textsuperscript{1796} The government investigated and prosecuted an increased number of trafficking cases in 2001.\textsuperscript{1797}

The Government of Hungary ratified ILO Convention 138 on May 28, 1998 and ILO Convention 182 on April 20, 2000.\textsuperscript{1798}

\textsuperscript{1796} U.S. Embassy- Budapest, unclassified telegram no. 3455.
\textsuperscript{1798} ILO, \textit{Ratifications by Country}. ILOLEX, [database online] [cited August 8, 2002]; available from http://ilolex.ilo.ch:1567/english/.
India

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of India has been a member of ILO-IPEC since 1992,\(^{1799}\) when it was the first country to sign an MOU with the organization.\(^{1800}\) In 1987, the Government of India adopted a National Policy on Child Labor. Approximately 100 National Child Labor Projects (NCLP) presently operate in 13 states and reach approximately 213,000 children.\(^{1801}\) NCLPs establish special schools that provide rehabilitation, non-formal education and vocational training, health care, stipends, and nutrition supplements for the children withdrawn from the workplace.\(^{1802}\) In 2001, the Government of India entered into a technical cooperation project agreement with USDOL to fund a USD 40 million ILO-IPEC project to eliminate child labor in 10 hazardous sectors in the states of Madhya Pradesh, Maharashtra, Tamil Nadu, and Uttar Pradesh. This project represents USDOL’s largest commitment to a child labor elimination initiative, and the Government of India’s 20 million contribution is the single largest counterpart contribution to such an initiative.\(^{1803}\)

The government has taken a number of steps to improve education and achieve universal enrollment in line with the goals of the National Policy on Education (NPE). The Department of Women and Child Development operates a program that targets pre-school aged children in nine states where systems of education are weak, facilitates universal primary education by improving quality and provides non-formal education programs for children with special needs, including working


\(^{1803}\) In August 2000, the Indian Ministry of Labor and USDOL signed a Joint Statement agreeing to collaborate on an ILO-IPEC project to prevent and eliminate child labor in 10 hazardous sectors: *bidis* (a type of small, hand-rolled cigarette), brassware, bricks, fireworks, footwear, glass bangles, locks, matches, quarrying, and silk. Each government is contributing USD 20 million to the project, which will target 80,000 children. Child labor prevention and withdrawal activities will complement the government’s National Child Labor Policy. ILO-IPEC, *Preventing and Eliminating Child Labor: project document*, cover, 3, 6-7, and 11. ILO-IPEC, *Preventing and Eliminating Child Labor: project document*, 9. India asserts that it has the world’s largest child labor elimination program. See Embassy of India, *Child Labor and India*, [online] [cited September 5, 2002], [cited January 2, 2003]; available from http://www.indianembassy.org/policy/Child_Labor/childlabor.htm.
The government’s Sarva Shiksha Abhiyan Program aims to achieve universal elementary education for all children ages 6 to 14 by 2010.1805 The World Bank has supported the government’s efforts by undertaking a number of projects to improve and increase access to primary education through teacher training, constructing classrooms, conducting research, addressing issues of gender and scheduled castes inequality,1806 reducing dropout rates, and building local and state capacity.1807


1805 The Ministry of Education and the Ministry of Labour are collaborating on the USDOL-funded ILO-IPEC project, which will provide educational services to working children in the 10 targeted hazardous sectors through its SSA Program. ILO-IPEC, Preventing and Eliminating Child Labor: project document, 47. See also Sarva Shiksha Abhiyan: Programme for Universal Elementary Education in India, [online] [cited September 5, 2002]; available from http://www.arunmehta.freyellow.com/page119.html.

1806 Scheduled castes refers to the lowest classes of Indian society, groups commonly known as “untouchables.”

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 12.1 percent of children ages 10 to 14 years in India were working. Bonded or forced child labor, including child prostitution, is extensive. Bonded labor exists in a number of industries, including the carpet manufacturing industry, the silk

1808 World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002. Estimates of the number of working children in India vary greatly, and as a result there is some debate over the accuracy of figures. The Government of India maintains that the only reliable statistics on child labor are those of the national censuses. India’s 1991 national census found that 11.28 million of the country’s children were working. The 2001 statistics on child labor have not yet been released, but the 55th National Sample Survey conducted in 1999-2000 estimated that the number had declined to 10.4 million. See Embassy of India, letter to USDOL official in response to USG Federal Register Notice: Volume 66 No. 186, October 25, 2001. These official figures notwithstanding, a discrepancy regarding “nowhere children” remains. About half of all children ages 5 to 14 are not enrolled in school (approximately 105 million children), yet do not appear in the official child labor force statistics. These children are called “nowhere children.” Due to the high correlation that nowhere children have with child labor, many analysts and relief workers believe that 44-55 million working children is a more accurate figure. U.S. Embassy- New Delhi, unclassified telegram 1401, February 1998. See also Somesh K. Mathur, Child Labour: Some Issues, Correlates and Cures, Center for International Development at Harvard University, [online] 1998 [cited September 6, 2002]; available from http://www.cid.harvard.edu/cidtrade/Papers/MathurLabor.pdf. Also see D.P. Chaudhuri, “A Dynamic Profile of Child Labour in India,” (ILO: 1996) as cited in UNICEF, Child Labour in India: Press Release, New Delhi, 1996. In 2000, the Chamber of Commerce and Industry (CCI) estimated child labor in the organized, unorganized and household sectors to be over 100 million. See S. Mahendra Dev, “Eradicating Child Labour,” The Hindu, August 15, 2000. Finally, see South Asian Coalition on Child Servitude, Child Labour in India, [online] [cited September 16, 2002]; available from http://www.saccsweb.org/cli.htm.


1810 Isabel Austin, State Representative for UNICEF, Tamil Nadu, interview with USDOL official, May 5, 1998. Isabel Austin was the state representative for UNICEF for Tamil Nadu and Kerala at the time of the interview. The U.S. Department of State reported in 2001 that bonded labor is widespread. For a complete list of the industries, see U.S. Department of State, Country Reports- 2001: India, 2449-58, Section 6c. See also U.S. Department of Labor, Consumer Labels and Child Labor, vol. IV, By the Sweat and Toil of Children (Washington, D.C.: U.S. Department of Labor, 1997).
industry, agriculture, and the services sector. India is a source, destination and transit country for trafficking of children. Children are reported to be trafficked from India to the Middle East and the West, into India from Bangladesh and Nepal, and through the country on the way to Pakistan and the Middle East. Children are also trafficked within India for sexual exploitation and forced and bonded labor. Children work in hazardous conditions in a number of sectors, including fireworks; stone quarrying; match, silk, lock, and brick manufacturing; and footwear and brassware production. Children also work as domestic servants.

The Constitution established a goal of providing compulsory and free education for all children until they reach 14 years of age. The NPE of 1986 and the Programme of Action of 1992 reemphasize that goal. Legislation at the state and/or provincial level established compulsory primary education in 14 of the 24 states and four Union territories. Approximately 85 percent of children ages 5 to 14 have attended school.

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1811 U.S. Department of State, Country Reports- 2001: India, Section 6c.
1813 U.S. Department of State, Trafficking in Persons Report: India, 60.
1814 Ibid.
1815 ILO-IPEC, Preventing and Eliminating Child Labor: project document, 6-7.
1816 U.S. Department of State, Country Reports- 2001: India, 2449-58, Section 6d.
1818 UN Committee on the Rights of the Child, Initial Reports of State Parties due in 1995, para. 221. Despite these goals, the government has been unsuccessful at providing universal, compulsory and free education. U.S. Department of State, Country Reports- 2001: India, 2439-49, Section 5.
1819 These states and union territories are Assam, Andhra Pradesh, Bihar, Gujarat, Haryana, Jammu and Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu, Kerala, West Bengal, Chandigarh, Pondicherry, and the Andaman and Nicobar Islands. See Embassy of India, written submission to USDOL official for the Fifth International Child Labour Study of the Bureau of International Affairs, U.S. Department of Labor, February 25, 1998, 11. In December 2001, the lower house of the Indian Parliament passed a bill making the right to education a basic fundamental right for all children between ages 6 and 14. The bill was scheduled to go before the upper house in 2002 for passage. U.S. Embassy- New Delhi, facsimile communication to USDOL official, December 19, 2001.
Child Labor Laws and Enforcement

The Child Labour-Prohibition and Regulation Act of 1986 defines a child as a person who has not reached 14 years of age.\textsuperscript{1821} The Act prohibits the employment of children under the age of 14 in 13 occupations and 51 processes.\textsuperscript{1822} The law further restricts children’s work by establishing a limit of a six-hour workday for children, including a one-hour mandatory rest interval after three hours of labor. Moreover, it is unlawful to work a child overtime or between the hours of 7 p.m. and 8 a.m. Every child must be given one full day off per week.\textsuperscript{1823} In 1996, India’s Supreme Court established a penalty for persons employing children in hazardous industries and directed national and state governments to identify and withdraw children from hazardous work and provide them with education.\textsuperscript{1824} The Penal Code and the Immoral Traffic (Prevention) Act of 1956 prohibit the trafficking and commercial exploitation of children, including sexual exploitation. The penalty for the commercial sexual exploitation of a child is imprisonment for seven years to life.\textsuperscript{1825}

The enforcement of child labor laws, which falls under the jurisdiction of state governments, is inadequate for a number of reasons, including a lack of sufficient government resources, traditional attitudes toward child labor and the government’s inability to provide universal primary education. Nonetheless, some 6,000 cases of legal action against employers are reportedly underway.\textsuperscript{1826} The Government of India has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{1827}

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\textsuperscript{1822} Ibid., Part II and The Schedule, Parts A and B. Embassy of India, letter, September 5, 2002, 2.

\textsuperscript{1823} \textit{Child Labour- Prohibition and Regulation Act}, Part III, 7 and 8.

\textsuperscript{1824} Embassy of India, letter, September 5, 2002, 4.

\textsuperscript{1825} Ibid., 6-7.

\textsuperscript{1826} U.S. Department of State, \textit{Country Reports- 2001: India}, 2449-58, Section 6d.

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Indonesia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Indonesia became one of the six original countries to participate in ILO-IPEC. By presidential decree, a National Action Committee to Eliminate the Worst Forms of Child Labor was established in 2001, and the president signed the National Program of Action on the Elimination of the Worst Forms of Child Labor in August 2002. The committee is tasked with creating national child labor policies, establishing priorities and coordinating programs. The national program lists the worst forms of child labor in Indonesia and outlines a process to eradicate them. A regional conference on trafficking and transnational crimes, which gathered representatives of 52 countries affected by trafficking, was convened by the Governments of Indonesia and Australia in February 2002.

In 1999, the USDOL funded two ILO-IPEC projects in Indonesia to combat child labor in the fishing and footwear industries. USAID provides support for capacity building to strengthen the efforts of the Ministry of Women’s Empowerment to combat trafficking and to advocate for anti-trafficking laws and policies. The government works with UNDP, ILO, UNICEF, and other NGOs to create programs for working children and street children, such as open houses that provide basic and vocational education to street children.

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1829 Soemadi D.M. Brotodiningrat, Ambassador, Embassy of the Republic of Indonesia, letter to USDOL official, September 6, 2002.

1830 The committee was established by Presidential Decree No. 12, 2001, and the action plan established under Presidential Decree No. 59, 2002. See “Cooperation Against the Trafficking of Children for Labor and Sexual Exploitation in Indonesia” (paper presented at the ILO-Japan Asian Meeting on the Trafficking of Children for Labour and Sexual Exploitation, Manila, October 10-12 2001), 4.

1831 Thirteen worst forms of child labor are listed, including commercial sexual exploitation, mining, work on jerrynals, scavenging, domestic help, and the use of children in work involving hazardous chemicals. Government of Indonesia, The National Plan of Action for the Elimination of the Worst Forms of Child Labor, August 13, 2002, 4-5.


1833 ILO-IPEC, Programme to Combat Child Labor in the Fishing Sector in Indonesia and the Philippines (Phase 1), RAS/99/05/050, Geneva, 1999, cover. See also ILO-IPEC, Programme to Combat Child Labor in the Footwear Industry in Indonesia and the Philippines (Phase 1), RAS/99/05/060, Geneva, 1999, cover. A second phase of both Indonesia projects was funded by USDOL in September 2002. See ILO-IPEC, Fishing and Footwear Sectors Program to Combat Hazardous Child Labor in Indonesia (Phase II), INS/02/Pxx/USA, Geneva, 2002, cover.


Beginning with the 1998-1999 school year, the World Bank, the Asian Development Bank, UNICEF, and other donors funded the Scholarship and Grants Program. The program is intended to support schools and keep children of impoverished families and families affected by the current economic crisis in school. Approximately USD 654 million in government and donor funds has been dedicated to project activities that provide block grants to schools and scholarships to children at the primary and secondary levels.1836

The World Bank has six active education projects in Indonesia that aim to improve the quality of basic education and junior secondary education, as well as one project focusing on secondary school teachers.1837 The World Bank also funds the Urban Poverty Project in selected areas of Indonesia, which includes the provision of grants to communities or local governments for projects to improve education, among other goals.1838 The Australian Government supports government efforts to improve school quality, promote universal access to schooling, and strengthen the links between schooling and employment.1839

USAID funded a pilot project to construct schools in areas of the Malukus affected by conflict,1840 and UNICEF works with government counterparts on education issues in parts of Aceh and the Malukus to address the effects of the civil conflict.1841

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Incidence and Nature of Child Labor

In 2000, the ILO estimated that 7.8 percent of children ages 10 to 14 years in Indonesia were working.\textsuperscript{1842} A 2000 report by the Government of Indonesia and UNICEF found that children were increasingly working in exploitative and hazardous activities such as garbage scavenging, street peddling, domestic servitude, and commercial sexual exploitation.\textsuperscript{1843} Children are exploited in prostitution, are used in the production of pornography and are the victims of sex tourists.\textsuperscript{1844} Children are also engaged in the production, transportation and sale of drugs, such as methamphetamines.\textsuperscript{1845} In North Sumatra, boys work on fishing platforms called jermals for 12 to 13 hours per day, often in dangerous conditions.\textsuperscript{1846} In addition, paramilitary groups and civilian militias, such as The Free Aceh Movement, have allegedly recruited children to serve in some capacity in armed conflicts.\textsuperscript{1847} Trafficking is a significant problem in Indonesia. Children, primarily girls, are trafficked for sexual exploitation and labor both within Indonesia and to international locations.\textsuperscript{1848}


\textsuperscript{1845} ILO-IPEC, Assessing the situation of children in the production, sales, and trafficking of drugs in Indonesia, the Philippines and Thailand, project document, RAS/02/P52/USA, Geneva, September 2001.

\textsuperscript{1846} ILO-IPEC, Programme to Combat Child Labor in the Fishing Sector (Phase 1), 2-3.

\textsuperscript{1847} The Free Aceh Movement is known in Indonesia as Gerakan Aceh Merdeka. Both voluntary and forcible recruitment measures are reportedly used by these groups. In addition, the Indonesian armed forces have allegedly begun recruiting children to act as informers, although no children are said to serve in the actual military. Coalition to Stop the Use of Child Soldiers, Child Soldiers 1379 Report, November 2, 2002, [cited November 8, 2002]; available from http://www.child-soldiers.org/cs/childsoldiers.nsf/6be02e73d99fcb8980256ad4005580ff/c560bb92d962c64c80256ce69004b0797?OpenDocument. See also John McBeth, “Children of War,” Far Eastern Economic Review, May 2, 2002.

\textsuperscript{1848} U.S. Department of State, Trafficking in Persons Report: Indonesia, 61. Police have detected trafficking syndicates bringing women and children to brothels in Java, Bali, Sumatra, the Malukus, Sulawesi, and Irian Jaya. U.S. Department of State, Country Reports- 2001: Indonesia, 996-1003, Section 6f.
Children work in agriculture on tea, chocolate, rubber, and coffee commercial farms.\textsuperscript{1849} Children work in various industries, including the rattan and wood furniture, garments, footwear, food processing, toy-making, and small-scale mining sectors. Other children work in industrial sectors such as construction, quarrying, gold mining, and pearl diving.\textsuperscript{1850} Children are also working in the informal sectors, selling newspapers, shining shoes, scavenging, or working beside their parents in family businesses or cottage industries.\textsuperscript{1851}

Presidential Instruction No. 1 of 1994 provides for compulsory basic education for children ages 7 through 15.\textsuperscript{1852} Education is not free in Indonesia. Families must pay tuition, cover the cost of uniforms and supplies, and pay fees for parent-teacher associations.\textsuperscript{1853} In 1997, the gross primary enrollment rate was 113.6 percent. The net primary enrollment rate was 95 percent, with 92.8 percent of girls enrolled as opposed to 97.1 percent of boys.\textsuperscript{1854} Attendance rates are not available for Indonesia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1855} In 2000, UNICEF reported that 20 percent of children fail to complete their primary education, and 30 percent of children ages 13 to 15 years old are not in school.\textsuperscript{1856}

**Child Labor Laws and Enforcement**

In April 1999, Indonesian law raised the minimum age for employment from 14 to 15 years.\textsuperscript{1857} Decree No. 5 of January 2001 on the Control of Child Workers calls for programs to remove children from hazardous work and assist them in returning to school.\textsuperscript{1858} The Protection of Children Forced to Work Regulation of 1987 allows children under the age of 14 to engage in certain types of work if they need to contribute to family income, and requires employers to report the number of children working.\textsuperscript{1859} It is illegal, with a maximum sentence of four years

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\textsuperscript{1850} U.S. Department of State, *Country Reports- 2001: Indonesia*, 996-1003, Section 6d.

\textsuperscript{1851} Government of Indonesia, *The National Plan of Action*, 1.

\textsuperscript{1852} Ibid., 3.

\textsuperscript{1853} Stalker, *Beyond Krismon*, 19.

\textsuperscript{1854} UNESCO, *EFA: Year 2000 Assessment*.

\textsuperscript{1855} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{1859} U.S. Department of State, *Country Reports- 2001: Indonesia*, 996-1003, Section 6d.
imprisonment, for anyone exercising legal custody of a child under 12 to submit that child to another person, knowing that the child is going to be used for the purposes of begging, harmful work or work that affects the child’s health.\textsuperscript{1860}

The Penal Code prohibits engaging in an obscene act with a person below 15 years of age. The penalty for violations is up to seven years in prison. The use of force or threats increases the penalties.\textsuperscript{1861} The Penal Code also prohibits trafficking of women and younger boys, with a maximum penalty of six years imprisonment for violations.\textsuperscript{1862} The Law on National Defense of 1982 sets the minimum age for voluntary recruitment into the armed forces at 18 years.\textsuperscript{1863} President Megawati signed the National Child Protection Act into law on October 22, 2002. The law provides a stronger legal basis for protecting children from a variety of abuses. The Act specifically addresses economic and sexual exploitation, including child prostitution, child trafficking, and the involvement of children in narcotics and in armed conflict.\textsuperscript{1864}

Due in part to a lack of resources, the government does not enforce child labor laws in an effective or thorough manner.\textsuperscript{1865}

The Government of Indonesia ratified ILO Convention 138 on June 7, 1999 and ILO Convention 182 on March 28, 2000.\textsuperscript{1866}

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\textsuperscript{1861} Ibid., Articles 289-90.

\textsuperscript{1862} Ibid., Article 297. Efforts to deal with trafficking are impeded by lack of funds, weak border controls, and official corruption. However, the government has increased the national budget for counter-trafficking efforts. U.S. Department of State, \textit{Trafficking in Persons Report: Indonesia}, 61.

\textsuperscript{1863} Coalition to Stop the Use of Child Soldiers, \textit{Child Soldiers 1379 Report}.


\textsuperscript{1865} U.S. Embassy- Jakarta, unclassified telegram no. 4679.

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Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Jamaica became a member of ILO-IPEC in September 2000. With funding from USDOL, the Government of Jamaica is implementing a two-year comprehensive national program in cooperation with ILO-IPEC to collect baseline information on the extent of child labor in the country, and to provide a range of services to address the problem of child labor in commercial sexual exploitation, fishing, tourism, and informal urban sectors. This project is also supporting a national child labor survey to be conducted by the Statistical Institute of Jamaica (STATIN) with technical assistance from ILO-IPEC’s SIMPOC.

In 1996, the government launched a National Plan of Action for Children to provide universal access to basic education, reintegrate street children into school and develop a comprehensive national policy statement on children. In 2001, the government opened a center for street children through the Possibilities Program, which provides resocialization and skills training.

In 1997, the government signed an agreement with the World Bank and other donors for a Social Investment Fund to support social assistance and income generation activities. The government also collaborated with UNICEF on the Child and Youth At Risk Program designed to address child labor issues and increase school attendance through poverty alleviation efforts and a public-awareness campaign. However, it is reported that the effectiveness of these activities has been hampered by the country’s poor economic conditions, limited resources and lack of information about the full extent of the country’s child labor problem. The Ministry of Education has instituted a cost-sharing program to help parents pay school fees at the secondary level.

During the mid-to-late-1990s, the government implemented several reforms to its educational systems designed to correct inequities in access to quality education and to improve educational achievement. These included curriculum revisions, construction of more classroom space, a grade four literacy test, provision of textbooks and school meals, and other efforts.

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1868 Ibid., Annex 1.
1869 Ibid., 11.
Incidence and Nature of Child Labor

Recent statistics on the number of working children under the age of 15 in Jamaica are unavailable. In 1994, a labor force survey conducted by STATIN, in collaboration with UNICEF, estimated that 4.6 percent of children ages 6 to 16 years were working in Jamaica. According to the survey, 22,000 children were working.\(^{1875}\) Although it is dated, this statistic provides the best available estimate on the number of children working. It will be replaced with the final SIMPOC results, as soon as the survey is complete. While child labor is not reported to be a significant problem in Jamaica’s formal industrial sector,\(^{1876}\) children are found working in informal activities, notably in fishing, agriculture and tourism.\(^{1877}\)

Child labor is largely urban-based, the result of high levels of poverty and the lack of family income.\(^{1878}\) Children live and work on the streets in increasing numbers in Jamaica,\(^{1879}\) and are involved in such activities as begging, newspaper and cigarette vending, cart pushing, and windshield washing. Children also work as shop assistants and domestic servants.\(^{1880}\) In some villages, children catch, scale and gut fish.\(^{1881}\) In agriculture, children work on family farms and with the cultivation and harvesting of marijuana.\(^{1882}\) In tourist towns, children are reported to work in kitchens, hotels and recreational and cultural activities.\(^{1883}\)

A study funded by ILO-IPEC found that children as young as 10 years old work as prostitutes, catering to tourists in areas such as Montego Bay, Kingston and Negril,\(^{1884}\) while other young girls are hired by go-go clubs or massage parlors.\(^{1885}\)

Under the Education Act of 1965, school is free and compulsory for children between the ages of 6 and 12 years.\(^{1886}\) In 1998, the gross primary enrollment rate was 97.7 percent, and the net primary

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1875 Ibid., 7.
1876 U.S. Embassy- Kingston, unclassified telegram no. 2589.
1877 ILO-IPEC, National Programme Jamaica, project document, 7-8.
1879 Ibid.
1880 ILO-IPEC, National Programme Jamaica, project document, 7-8.
1881 Claudette Richardson-Pious, Executive Director, Children First, interview with USDOL official, July 2000.
1882 ILO-IPEC, National Programme Jamaica, project document, 7.
1883 Ibid.
1885 ILO-IPEC, Situation of Children in Prostitution, 13.
enrollment rate was 92.4 percent. In spite of high enrollment rates, many Jamaican children (between 19 and 25 percent) fail to attend primary school regularly. Some families keep their children home because they cannot afford to pay school expenses. Although schooling is free at the primary level, reports indicate that some local schools and parent teacher organizations nonetheless collected fees. Other reports attribute low school attendance to the lack of relevant curricula, the lack of space in schools (especially at the secondary level) and the low quality of instruction.

**Child Labor Laws and Enforcement**

The Juveniles Act of 1951 prohibits the employment of children under the age of 12 years, except in family domestic, agricultural or horticultural work. Children under 15 may not be employed in industrial work. They are also prohibited from working on ships, except where only family members are employed. Children under 16 are prohibited from night work and from begging. Forced labor is not specifically banned. The Criminal Code prohibits procuring a girl under 18 years of age for the purposes of prostitution, and while there is no comprehensive law against trafficking in persons, the Criminal Code prohibits procuring a woman or girl to leave the island for work in prostitution. Immigration or customs laws may also be applied to prosecute cases of child trafficking.

Jamaica’s police are responsible for addressing child labor related complaints, while the Ministry of Health places children in safe locations once they are withdrawn from work. Under the Juveniles Act, child labor violators can be subject to a fine of JMD 50 (USD 1) or three months imprisonment. Acts of prostitution in violation of the Criminal Code are punishable by up to

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\text{1887 World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002.}
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\text{1888 UNICEF, Changing the Future for Jamaica’s Children, Kingston, August 1999, 5, 6.}
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\text{1889 Ibid. See also ILO, Review of Annual Reports Under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Part II, Compilation of Annual Reports by the International Labor Office, Geneva, March 2000, 299.}
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\text{1890 U.S. Embassy- Kingston, unclassified telegram no. 2589.}
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\text{1891 ILO-IPEC, National Programme Jamaica, project document, 9-11. See also UNICEF, Changing the Future, 6.}
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\text{1892 Juveniles Act of 1951, Part 8, Section 71.}
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\text{1893 Ibid., Part 8, Section 72. Industrial activities prohibited for children under 15 include mines, quarries, breweries, shipbuilding, and factories. Embassy of Jamaica, Submission to USDOL regarding Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor, Washington, D.C., September 6, 2000, 1.}
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\text{1894 U.S. Embassy- Kingston, unclassified telegram no. 2589.}
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\text{1895 U.S. Department of State, Country Reports- 2001: Jamaica, 2916-17, Section 6c.}
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\text{1896 Government of Jamaica, Criminal Code, Articles 58(a) and 58(c) [cited December 23, 2002]; available from http://www.protectionproject.org.}
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\text{1897 U.S. Department of State, Country Reports- 2001: Jamaica, 2916-17, Section 6f.}
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\text{1898 U.S. Embassy- Kingston, unclassified telegram no. 2589.}
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\text{1899 Ibid. For currency conversion see FX Converter, [online] [cited September 6, 2002]; available from http://www.carosta.de/frames/convert.htm.}
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three years imprisonment. Enforcement of child labor laws in the informal sector is reported to be inadequate. There is limited information available on prosecutions or convictions for related offenses, but it is reported that since fines have not kept pace with the depreciation in the exchange rate, judges often impose criminal penalties in lieu of fines.

The Government of Jamaica has not ratified ILO Convention 138 or ILO Convention 182.

1900 Criminal Code, Article 58.
1901 U.S. Embassy- Kingston, unclassified telegram no. 2589.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Jordan has been a member of ILO-IPEC since 2000. Queen Noor established the National Task Force for Children (NTFC) in 1995. The NTFC conducted its first national study on child labor in 1997. The Ministry of Labour initiated an ILO-IPEC Action Program in January 2001. As a result, the Child Labour Unit (CLU) was established. The CLU developed a database on child labor issues and is in the process of establishing a National Policy and Program Framework, which will provide policy makers with a country-wide strategy for the elimination of the worst forms of child labor.

In 2002, USDOL funded an ILO-IPEC national program in Jordan. The program aims to withdraw approximately 3,000 child workers from the worst forms of child labor, mainstream them into non-formal and formal education programs, provide them with pre-vocational and vocational training, and support them with counseling, health care and recreational activities.

The government has placed a strong emphasis on providing education for all. A ten-year education reform program was initiated in 1987. Two subsequent Human Resources Development Sector Investment programs were financed by the government, World Bank, the Government of Japan, and other technical agencies. An Education Plan of Jordan was implemented from 1988-1995 and was funded by the government, World Bank, the Government of Japan, USAID, and the United Kingdom’s Department for International Development. The second Education Development Plan ran from 1996-1999 and the third is scheduled to run from 1999-2003. Progress in literacy, enrollment, and numbers of students and teachers has been made throughout the course of these three plans. More recently, the government has recognized the link between lack of education and child labor, and the Ministry of Education has taken steps to address child labor issues in its 2003-2015 Educational Development Plan.

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1906 ILO-IPEC, National Programme Jordan, project document, 24-25.

1907 Ibid., cover.

1908 Ibid., 26-27.

1909 Ibid., 3.

1910 Ibid., 3-4.

1911 Ibid., 6.
Incidence and Nature of Child Labor

Recent statistics on the number of working children under the age of 15 in Jordan are unavailable. In 1997, the Department of Statistics estimated that approximately 13 percent of boys ages 15 to 16 years and 1.1 percent of girls of that age were working.\(^{1912}\) A Ministry of Labour study published in 2002 stated that children are employed in automobile repair, carpentry, sales, blacksmith shops, tailoring, construction, and food services.\(^{1913}\) Child vendors on the streets of Amman work selling newspapers, food and gum. Other children provide an important source of income for their families by rummaging through trash dumpsters to find recyclable items.\(^{1914}\)

Education in Jordan is free and compulsory for 10 years, including six years of primary education and four years of secondary education. The Ministry of Education is required to open a school in every community where there are at least 10 students for grades one through four.\(^{1915}\) The government spends about 11 percent of its annual budget on education.\(^{1916}\) In 1998, gross primary enrollment was 68.9 percent and net primary enrollment was 63.9 percent.\(^{1917}\) Rural drop-out rates were high, particularly after the age of 13.\(^{1918}\) The primary reasons for dropping out of school are financial pressures, poverty, disability, poor performance, teaching styles, parental attitudes, and lack of adequate transportation.\(^{1919}\) The 2001 Ministry of Labor study indicated that most of child workers interviewed had completed nine years of education or more.\(^{1920}\)

Child Labor Laws and Enforcement

In 1996, the Labor Code was amended to raise the minimum legal working age from 13 to 16 years.\(^{1921}\) The law prohibits the employment of children under the age of 17 in dangerous and hazardous work.\(^{1922}\) Minors must be given a break after four hours work, are not allowed to work


\(^{1913}\) Ibid., 15-16.


\(^{1916}\) Approximately 73 percent of the total student population attend government schools, 15 percent private schools, and 12 percent United Nations Relief Work Agency (UNRWA) schools. Ibid., 3, 5.

\(^{1917}\) In 1998, the GPE was 68.9 percent for females and 68.4 percent for boys, while the NPE was 64.6 for females and 63.3 for males. World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.


\(^{1919}\) These reasons are based on two studies. One was conducted in 1995 and the other in 2001. Ibid.

\(^{1920}\) This study was based on 2,539 working children. Shahateet and Dabdub, *Child Labour in Jordan 2001*, 9 and 23.


\(^{1922}\) *Labour Code*, Section 74.
more than six hours per day, and may not work during weekends and holidays, or at night.\textsuperscript{1923} Before hiring a minor, a prospective employer must obtain a guardian’s written approval, the minor’s birth certificate, and a health certificate.\textsuperscript{1924} An employer found in violation of these provisions will face a fine ranging from 100 to 500 dinars (USD 142 to 710). The fine will double with each subsequent infraction.\textsuperscript{1925} Compulsory labor is prohibited by the Constitution of Jordan.\textsuperscript{1926}

The Ministry of Labour’s CLU’s main responsibilities are to monitor child labor, collect and analyze data, and review and ensure the enforcement of existing legislation. There are 81 labor inspectors in the country, 35 of which have received training on issues of child labor. These inspectors play a critical role in combating child labor.\textsuperscript{1927}


\textsuperscript{1923} The Code does not specify the age of a minor. Young people are defined individuals of either sex who have not yet reached 18 years of age. In other cases, the use of the term “minor” is qualified as to specify an age. For example, see Section 73 “no minor under sixteen” or Section 74 “no minor under seventeen.” Therefore, it is reasonable to assume that the term “young person” is synonymous with “minor,” meaning any person under 18 years of age. Definitions can be found in Section 2 of the code. Ibid., Section 75.

\textsuperscript{1924} Ibid., Section 76.

\textsuperscript{1925} Ibid., Section 77. For currency conversion, see FX Converter, [online] [cited August 13, 2002]; available from http://www.oanda.com/.


\textsuperscript{1927} ILO-IPEC, National Programme Jordan, project document, 20.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Kazakhstan is an associated country of ILO-IPEC. The National Commission for Women’s and Family Issues is leading efforts to combat trafficking of women and girls in Kazakhstan. With funding from USAID, IOM is implementing an anti-trafficking program in cooperation with government ministries that aims to raise awareness and develop a preventative action plan for the country.

It is mandated that Universal Compulsory Secondary Education Funds be established at schools in Kazakhstan in order to pay for education expenses, including clothes, shoes, textbooks, training aids, and school meals. The funds are provided by local governments and private sources (such as sponsorships) and total no less than 1 percent of the schools’ current operational budgets, and are used to support needy and secondary school students. Local education bodies also provide regular reports on the progress toward the goal of universal education. International organizations, such as UNICEF and UNESCO, also have implemented programs aimed at improving the country’s education system.

Incidence and Nature of Child Labor

The 1999 ILO Yearbook of Labor Statistics reported that 0.1 percent of children ages 10 to 14 years in Kazakhstan were working. However, in 1996, a national household survey on living standards found that 31.1 percent of children ages 7 to 14 were working or working and studying.

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1933 Ibid.
The survey also found that a higher percentage of children in Central Kazakhstan work without attending school than in other regions of the country.\textsuperscript{1936} Educators interviewed for the ILO-IPEC Child Labor Survey in Kazakhstan estimate that over one-half of all children participate in labor activities at some time during their childhood.\textsuperscript{1937}

Children in rural areas work in agriculture, generally on family farms.\textsuperscript{1938} Children in urban areas, including many homeless and abandoned children, can be found working at gas stations selling newspapers, magazines and other goods, wiping windshields and cleaning cars, conducting buses, loading and unloading goods, and begging and working in bazaars and small businesses, often alongside their parents.\textsuperscript{1939} Although the scope of the problem is unknown, local media reports indicate that child prostitution is a problem in Kazakhstan.\textsuperscript{1940} There are also reports that children are sold or pawned by parents or guardians.\textsuperscript{1941} Kazakhstan is reported to be a source country for trafficking in children to the United Arab Emirates, Greece, Turkey, Israel, and South Korea.\textsuperscript{1942} There are some reports that Kazakhstan is a destination country for trafficking in children.\textsuperscript{1943}

Under the Education Law, school is free and compulsory through grade nine or up to the age of 16 years.\textsuperscript{1944} In 1998, the gross primary enrollment rate was 97 percent.\textsuperscript{1945} In 1995, the gross and net primary attendance rates were 116.9 and 90.1 percent, respectively.\textsuperscript{1946} However, since 1991, government resources for education have declined by over 50 percent.\textsuperscript{1947} In 1994-1995, a lack of funds, mainly for transportation and heat, led to the closure of numerous primary schools and preschools.\textsuperscript{1948}

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\textsuperscript{1937} Bereshev and Windell, \textit{Child Labour in Kazakhstan}, 3.
\textsuperscript{1939} Bauer, Boschmann, Green, and Kuehnast, \textit{A Generation at Risk}., 39, 108. See also Bereshev and Windell, \textit{Child Labour in Kazakhstan}., 3.
\textsuperscript{1940} A survey of school-age girls in Almaty suggests that prostitution is regarded as an acceptable profession given serious family economic problems. See Bauer, Boschmann, Green, and Kuehnast, \textit{A Generation at Risk}., 114-115.
\textsuperscript{1941} Ibid., 108.
\textsuperscript{1942} U.S. Department of State, \textit{Country Reports- 2001: Kazakhstan}. Section 6f .
\textsuperscript{1943} Ibid. See also U.S. Department of State official, electronic communication to USDOL official, February 2003.
\textsuperscript{1944} Students may begin technical training at grade 9. See U.S. Department of State, \textit{Country Reports- 2001: Kazakhstan}. at Section 5.
\textsuperscript{1945} \textit{World Development Indicators} 2002 [CD ROM], Washington DC, 2002.
\textsuperscript{1946} USAID, \textit{Demographic Health Survey} 2002.
\textsuperscript{1947} Bereshev and Windell, \textit{Child Labour in Kazakhstan}., 18. In 1990, 24.5 percent of the budget expenditures and 5.7 percent of GDP were spent on education. In 1998, percentages for budget expenditures and GDP were 11.2 and 3.0 respectively. See UNESCO, \textit{Education for All 2000 Assessment}.
\textsuperscript{1948} Bauer, Boschmann, Green, and Kuehnast, \textit{A Generation at Risk}., 46, 48. See also Bereshev and Windell, \textit{Child Labour in Kazakhstan}., 19.
\end{flushleft}
Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years with parental consent and providing that the work does not interfere with school attendance or pose a health threat. 1949 Children 16 years and older may independently sign work contracts. 1950 Children under 18 years are prohibited from working in dangerous conditions, overtime or at night. 1951

The Ministry of Labor is responsible for enforcing child labor laws. 1952 State labor inspectors are responsible for following up on labor-related complaints, conducting random inspections and levying steep fines for labor law violations. 1953 However, reports indicate that regulations are inadequately enforced. 1954 The Constitution prohibits forced labor, except under a court mandate or in a state of emergency. 1955 Involving a minor in prostitution, begging or gambling is illegal under the Criminal Code and punishable by up to three years imprisonment. 1956 Trafficking of children is prohibited. 1957


1950 Ibid., Section 11, no. 1.
1951 Children between ages 16 and 18 may not work more than 36 hours per week. Children between ages 15 and 16 (or 14 and 16 years during non-school periods) may not work over 24 hours per week. Ibid., Section 46-49.
1952 U.S. Department of State, Country Reports- 2001: Kazakhstan., Section 6d
1953 The Administrative Code gives inspectors the authority to fine individuals guilty of violating labor legislation. However, the Criminal Code give the Prosecutors Office responsibility for prosecuting cases in which child labor is used illegally. The Criminal Code imposes fines of up to USD 25,000 (3,675,000 tenge) and two years imprisonment for employing a child under unhealthy or injurious conditions. See U.S. Embassy - Almaty, unclassified telegram no. 6573. See also U.S. Department of State, Country Reports- 2001: Kazakhstan., Section 6d.
1954 Bereshev and Windell, Child Labour in Kazakhstan., 18
Kenya

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Kenya became one of the first six members of ILO-IPEC. In order to improve institutional capacity to eliminate child labor, the government is working with ILO-IPEC and other development partners to build the capacity of the Ministry of Labor and Human Resources, the Department of Children’s Services in the Ministry of Home Affairs, Heritage and Sports, and the Ministry of Education to enforce child labor legislation. ILO-IPEC has also worked with the Central Organization of Trade Unions, the Federation of Kenya Employers and various NGOs to strengthen institutional capacity to address child labor issues. By 2001, 67 ILO-IPEC programs on child labor had been launched targeting the commercial agriculture, construction, cross-border trade, domestic service, fishing, hotel and tourism, and quarrying and mining sectors. Kenya is also participating in an ILO-IPEC regional program funded by USDOL to prevent children from entering, and withdraw and rehabilitate children engaged in, hazardous work in the commercial agriculture sector in East Africa. In September 2001, the Government of Kenya and ILO-IPEC released the results of an ILO-IPEC SIMPOC survey that collected national data on the incidence of child labor in Kenya from 1998 to 1999.

The Government of Kenya has also received support from UNICEF, which is working to help formulate policy on issues affecting children and monitoring and evaluating efforts in the public sector and civil society to address child labor issues. Since 1999, UNICEF and the Government of Kenya have implemented projects for children in need of special protection. These programs have focused on street children, AIDS orphans and AIDS prevention, and on building the capacity to implement a broad based child welfare agenda. In 2001, USAID allocated money for a “Displaced Children and Orphans Fund” to support programs that would allow children from HIV/AIDS-affected families (including orphans) to benefit from home-based care and other programs.

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1961 Ibid., 7-9.


In 1989, Kenya replaced its free system of education with a “cost sharing” system in which students pay both tuition and other associated schooling costs, totaling up to 65 percent of the recurrent costs of schools. This policy has reduced access to education for many poor children, and has led to a steady increase in the number of dropouts in Kenya. Furthermore, a teachers’ strike from September to October 2002 and continued problems in the education sector have led to disruptions in the provision of schooling.

Incidence and Nature of Child Labor

Between 1998 and 1999, the Kenyan Central Bureau of Statistics estimated that 17.4 percent of all children ages 5 to 17 years were working in Kenya. According to the survey, children made up 14.4 percent of the total workforce in Kenya. More children living in rural areas (19.7 percent) worked compared to children living in urban areas (9.0 percent). The commercial or subsistence agriculture and fishing sectors employ the largest number of working children (57.6 percent), followed by the domestic service sector (17.9 percent). Children also work in construction, wholesale and retail trade, mining, and manufacturing. Children employed in the hotel industry are often drawn into commercial sex work. Street children are often engaged in odd jobs in the informal sector, prostitution, or various illegal activities often under the control of


1969 Integrated Regional Information Network, “Kenya: Feature - Compromise Deal Ends Teachers’ Strike”, IRINnews.org, October 23, 2002, [cited November 16, 2002]; available from http://www.irinnews.org/report.asp?ReportID=30563&SelectRegion=East_Africa&SelectCountry=KENYA. In 1997, the Government increased teachers’ salaries by 200 percent, however, after the first phase of salary awards it asserted that it did not have the funds to complete the rest of the awards. 240,000 teachers were threatening to strike over this issue. See Integrated Regional Information Network, *Kenya: Focus on Challenges in the Education Sector*.

1970 Child labor was defined as work undertaken by children 5 to 17 which hampers school attendance, is exploitative, and is hazardous or inappropriate for children. This definition includes the worst forms of child labor. See Central Bureau of Statistics- Ministry of Finance and Planning, *The 1998/99 Child Labor Report*, 33.

1971 Of the children surveyed for the SIMPOC survey, 78.7 percent worked as unpaid family workers in family farms or businesses and 18.5 percent worked for pay, and 1.6 percent were running their own businesses. See Ibid., 33 and 36.

1972 Ibid., 34.

1973 Ibid., 37.


1975 Ibid., 69.
organized criminal groups.\textsuperscript{1976} Cases of forced labor, in which children are loaned out to creditors to pay off family debt, have also been documented, primarily in rural areas.\textsuperscript{1977}

Education is compulsory for eight years, from the ages of 6 to 14.\textsuperscript{1978} In 1998, the gross primary enrollment rate was 92.1 percent.\textsuperscript{1979} Attendance rates are not available for Kenya. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1980} Of students enrolled in primary school in 1991, 47.2 percent completed the eighth grade in 1998. Of children who completed primary school, 44 percent transitioned to secondary school.\textsuperscript{1981} Progress is being made in improving school completion rates for girls; however, there is still a gender bias in access to education.\textsuperscript{1982}

\textbf{Child Labor Laws and Enforcement}

The Children’s Act of 2001 prohibits all forms of child labor that would prevent children under 16 from going to school or that is exploitative and hazardous. The Children’s Act also prohibits child sexual exploitation.\textsuperscript{1983} The Constitution prohibits slavery, servitude and forced labor.\textsuperscript{1984} The enforcement of child labor regulations involves multiple government agencies and institutions. At the ministerial level, the Ministry of Labor and Human Resource Development enforces child labor legislation.\textsuperscript{1985} The Department of Children’s Services (Office of the Vice President and the

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\textsuperscript{1976} Ibid., 70.
\textsuperscript{1980} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\textsuperscript{1982} Ibid., 5.
\end{flushleft}
Ministry of Home Affairs, Heritage and Sports) is responsible for the administration of all laws regarding children (particularly awareness raising regarding children’s rights and the management of rehabilitation institutions). There are more than 80 Directorate of Occupational Health and Safety Services inspectors and 140 Ministry of Labor officers who have been trained in the detection and reporting of child labor. However, the number of inspectors is reported to be insufficient, and fines are not high enough to effectively deter employers from utilizing children under the minimum age.


1987 Ibid.
Kiribati

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Kiribati is working with the ADB on the implementation of its 2002-2004 Country Strategy and Program to address key issues that include poverty reduction and human development. Part of its poverty reduction strategy and plan to invest in human capital development will focus on enhancing quality and relevant education and expanding the coverage of social services, particularly for people living in the outer islands. AusAID is also assisting the country to enhance the policy framework surrounding the education sector for the period between 1998 and 2005.

The “Quality of Life Improvement” policy by the government includes a commitment to invest more financial resources in health, education, sports, and other activities that enhance the social, physical and economic environment for children. As a signatory to the Convention on the Rights of the Child, the government has made progress in reaching the Convention’s standards by amending the Film Education Act to protect children from pornography, assisting with the training of teachers, funding construction, providing teacher materials for the Early Care and Childhood Education centers, instituting vocation training centers, and expanding the education system.

The Ministry of Education, Training and Technology is responsible for implementing the National Development Strategy for 2000-2003 to improve the quality of education at each level. One of the primary goals is to increase access to education through the provision of universal education at little or no direct cost to parents throughout Kiribati, including the outer islands of Teraina and Tabuaeran. Increasing the availability of pre-schools, training teachers to adapt to changes in the new curriculum and renovating classrooms are all a part of the national policy to strengthen its education system. UNICEF is also active in Kiribati implementing child and youth advocacy projects.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Kiribati are not available. Some children who are not in school are reported to work in the informal sector, either in small-

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scale enterprises or in their homes. The Kiribati Chamber of Commerce has noticed an increase in the number of children working as vendors on the street, visiting households and in social establishments at night.

Education is free and compulsory for nine years, until the age of 16. Basic education includes primary school for grades one through six, and Junior Secondary School for three additional grade levels. In 1998, the gross primary enrollment rate was 84.4 percent, and net primary enrollment rate was 70.7 percent. Attendance rates are not available for Kiribati. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. School quality and access to education are better in urban areas; schools in small communities on isolated islands are expensive to maintain.

**Child Labor Laws and Enforcement**

Part IX of the Employment Ordinance, “Employment of Children and Young Persons,” sets the minimum age for employment at 14 years, and children under 16 years are prohibited from industrial employment or jobs aboard ships. The Constitution prohibits forced labor. The Penal Code criminalizes the procurement of girls under 18 years of age for the purpose of sexual relations and establishes a penalty of two years imprisonment for offenses.

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1996 Ibid.


1999 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


also bans parents or guardians from prostituting children under 15 years old.\textsuperscript{2005} Child labor laws are enforced by the Ministry of Commerce, Industry and Employment.\textsuperscript{2006}

The Government of Kiribati has not ratified either ILO Convention 138 or ILO Convention 182.\textsuperscript{2007}

\textsuperscript{2005} Ibid., Articles 141, 43.


Kyrgyzstan

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Kyrgyzstan is an associated country of ILO-IPEC. With funding from USAID, IOM is cooperating with the government to implement an anti-trafficking program that aims to raise awareness and develop a preventative action plan for the country. Kyrgyzstan President Akayev signed the National Anti-Trafficking Plan on July 11, 2002.

The government has recently set up an organization called New Generation, composed of international and national organizations, to focus on child welfare issues. The Center for Child Protection established in 1998 by the “Children in Risk” organization cooperates with the Ministry of Education, Science and Culture, the Department of Employment and the Mayor of Bishkek to address child labor issues. The Center provides a safe house for homeless children, a medical program, a food program, and a professional orientation program to teach children involved in low-skilled work a trade. The Center for Social Adaption, supported by Norwegian and UNDP funds, cares for homeless, abused and neglected children.


2012 “Children in Risk” is supported by the Holland Interchurch Aid and Interchurch Organization for Partnership Development. See ILO-IPEC, Child Labor in Kyrgyzstan, 36.

The Government of Kyrgyzstan has made efforts to improve the educational sector through various national programs. Araket and Jetkincheck are national education programs that provide school supplies or other educational benefits for low-income families. The Ministry of Education, Science and Culture has taken steps to improve access to education by providing financial assistance and transportation to schools. In addition, the ADB supported the National Education Training Program (Bilim) project, which included measures to ensure access to schools among poor populations, restructure curricula, recruit and retain teachers, decentralize the education system, and rehabilitate school facilities.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Kyrgyzstan are unavailable. However, 5,000 to 7,000 children are estimated to be living and working on the streets. Some of the common occupations in which children are engaged include selling goods (newspapers, cigarettes and candy), transportation (loading and unloading goods), collection (aluminum and bottles), begging, cleaning and repairing shoes, washing cars, agriculture, and prostitution. In southern rural areas, children work in mines. Children are also reported to be pulled out of school to harvest cotton. During the summer, when school is out, they work on commercial tobacco farms. Some schools have also reportedly required students to participate in the tobacco


2017 Assistance targeted students in the Chuim Jalal-Abad, and Issuk oblasts. See ILO-IPEC, Child Labor in Kyrgyzstan, 34.

2018 Bauer, Boschmann, Green, and Kuehnast, A Generation at Risk, 120. See also ILO-IPEC, Child Labor in Kyrgyzstan, 33.


harvest on fields located on school grounds. Children are also found working on family farms and in family enterprises such as shepherding or selling products at roadside kiosks.

Kyrgyzstan is primarily considered to be a country of origin and transit for the trafficking of children. Children are reported to work as prostitutes in Bishkek, and girls as young as 13 years are trafficked to countries such as the United Arab Emirates, Turkey, China, Russia, Germany, and Kazakhstan. The Islamic Movement of Uzbekistan is rumored to recruit boys under 18 and the 1999 incursions into Kyrgyzstan, allegedly by Islamic Movement supporters, may have involved child soldiers.

The Constitution establishes free and compulsory education up to the secondary level, which is generally completed by the age of 14. However, residence registration limits access to social services, including education for refugees, migrants, internally displaced persons, and non-citizens. In 1998, the gross primary enrollment rate was 103.9 percent, and the net primary enrollment rate was 85.0 percent. Primary school attendance rates are unavailable for Kyrgyzstan. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The current economic crisis and declining
family incomes have led to an increase in the number of children who drop out of school and take up work. Students who have stayed in school have had to pay administrative fees.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 16. Children aged 14 years may work with parental consent, providing the work does not interfere with school attendance or pose a threat to the child’s health and development. The Labor Code prohibits children under 18 years from working overtime hours or at night. Hazardous work is also prohibited for children under 18 years. The penalty for preventing a child from attending school ranges from a public reprimand to one year of forced labor. Both the Constitution and the Labor Law prohibit forced labor under most circumstances.

Unfortunately, aspects of the Labor Code are contradictory. There are also many omissions and gaps pertaining to definitions of unhealthy and dangerous work. The lack of national policy on child labor has resulted in few administrative structures to monitor child labor. Ideally, compliance with labor legislation is monitored by state health agencies, trade unions, government

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2031 UN Committee on the Rights of the Child, *Concluding Observations*, para. 55.


2035 Article 319 prohibits “labor of persons under 18 years of age on hard works, works with harmful for health and/or dangerous labor conditions, underground works or work undermining their proper moral development (casino business, night clubs, and production, transportation and marketing of alcohol, tobacco, narcotic and toxic products).” See *Labor Code, 1997*, Article 319.


2037 In both texts, forced labor is prohibited except in cases of war, natural disaster, epidemic, or other extraordinary circumstances, as well as upon sentence by the court. See *Labor Code, 1997*, Article 12. See also *Constitution, 1996*, Article 28.

2038 Article 285 sets the age for employment in morally and physically dangerous work at 21. However, Article 319 prohibits youth under 18 from engaging in such work. The Labor Code allow children between the ages of 14 and 16 to perform strenuous work with parental consent. However, minors under the age of 18 cannot work underground. See U.S. Department of State, *Country Report- 2001: Kyrgyz Republic*, 1576-79, Section 6d.


departments (including the Prosecutor’s Office and the State Labor Inspectorate), and commissions for minors.\textsuperscript{2041} The Prosecutor’s Office and the State Labor Inspectorate are responsible for enforcing labor laws. Given resource constraints, however, the government does not enforce child labor laws adequately.\textsuperscript{2042} There are 700 to 800 child inspectors in the country assigned to protect child welfare. Abandoned and orphaned children are typically considered to be a law enforcement problem due to the absence of a well-established tradition of social welfare.\textsuperscript{2043}

Trafficking is not specifically prohibited by law, although the Criminal Code forbids the recruitment of individuals for exploitation, the trading or selling of children, and coercion into prostitution.\textsuperscript{2044} According to IOM, weak legislation and a lack of coordination between government ministries results in the prosecution of few crimes related to the trafficking of people.\textsuperscript{2045}

The Government of Kyrgyzstan ratified ILO Convention 138 on March 31, 1992 but has not ratified ILO Convention 182.\textsuperscript{2046}

\textsuperscript{2041} UN Committee on the Rights of the Child, Initial Reports of States Parties: Kyrgyzstan, para. 262.

\textsuperscript{2042} U.S. Department of State, Country Report- 2001: Kyrgyz Republic, 1576-79, Section 6d.

\textsuperscript{2043} Children living and working on the streets are frequently rounded up in sweeps and institutionalized. Ibid., Section 5.


\textsuperscript{2045} IOM, Trafficking in Women and Children from the Kyrgyz Republic, 29. Government agencies involved in anti-trafficking include: the Ministry of Foreign Affairs, the Ministry of Interior, the National Security Service, the Ministry of Health, the State Procurator’s Department, the State Agency of Migration and the State Committee for Tourism, Sport and Youth policy. See U.S. Department of State, Country Report- 2001: Kyrgyz Republic, 1576-79, Section 6f. See also U.S. Department of State, Trafficking in Persons Report: Kyrgyzstan, 67.

Latvia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Latvia has initiated a National Program for Preventing Sexual Violence Against Children for 2000-2004, and it is cooperating with the Baltic and Eastern European governments to combat regional organized crime groups that engage in trafficking or prostitution. In 1999, the National Center for the Rights of the Child was restructured to monitor the implementation of legislation on child rights. Inspectors who focus on children’s rights protection work at a municipal level to ensure the coordination of activities throughout the country. The government has established an anti-trafficking working group that includes representation from government and NGOs involved in anti-trafficking efforts.

Several international organizations have programs that support children. UNICEF and the AIDS Prophylaxis Center carried out a program in 1999 to educate and train employees of NGOs and municipalities on how to work with street children. In October 2001, IOM launched an information campaign aimed at potential victims of trafficking, the press, the general public, and government authorities. IOM also instituted a counter-trafficking project aimed at establishing a coordinated system of assistance for trafficking victims from the Baltic Republics.
Children’s Unit of the Council of Baltic Sea States supports activities targeting children victimized by sexual exploitation, children living in the streets and children in institutions. The National Center for the Rights of the Child started an education program in 1999 called “A Lesson In Children’s Rights for Adults” that in part addresses the situation of children outside the system. The program trains court personnel, teachers and social workers to be equipped to deal with the growing street children situation. The World Bank is providing the Government of Latvia with a loan to implement a 5-year Education Improvement Project to provide school building and structural repairs, improve the quality of education, and strengthen the capacity of the Ministry of Education and Science.

**Incidence and Nature of Child Labor**

Statistics on the number of working children under the age of 15 in Latvia are unavailable. However, the commercial sexual exploitation of children is known to exist. Prostitution by both boys and girls is a significant problem, particularly in rural areas, near borders and in the capital city of Riga. It is estimated that up to 15 percent of prostitutes in Latvia are children between 8 and 18 years old. Victims from Latvia are trafficked to countries in Western Europe, including Germany, Switzerland, Denmark, Spain, Greece, Italy, and UK for the purposes of sexual exploitation. There are also reports of child involvement in the production of pornography.

Education is free and compulsory until the age of 15, or through the completion of primary school. Paragraph three of the Latvian Education Law of 1998 guarantees equality in education

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2054 Child Center for Children At Risk in the Baltic Sea Region, [online] [cited August 29, 2002]; available from http://www.childcenter.baltinfo.org/.


2060 There are no official estimates of the number of trafficking cases. However, Swiss police reported that nearly half of the registered prostitutes in one of the country’s 27 cantons were Latvian. See Kamenska, “Trafficking in Women-Latvia.” See also Gillian Caldwell, Steven Galster, and Nadia Steinzor, *Crime and Servitude: An Exposé of the Traffic in Women for Prostitution From the Newly Independent States*, Global Survival Network, 1997, 10.


for all residents; paragraph four defines the mandatory nature of education in Latvia, making acquiring basic education by age 18 mandatory.\textsuperscript{2063} Article 112 of Part Eight of the Constitution establishes that everybody has the right to education.\textsuperscript{2064}

In 1998, the gross primary enrollment rate was 102.8 percent, while the net primary enrollment rate was 94.4 percent.\textsuperscript{2065} The government reports that discrepancies in numbers of boys and girls attending primary school in Latvia are not due to discrimination, but rather a result of demographics, with the number of boys exceeding girls.\textsuperscript{2066}

The number of children who do not attend primary school is increasing, the number of children starting school has decreased and the dropout rates have increased dramatically.\textsuperscript{2067} In rural areas, a number of schools have been closed.\textsuperscript{2068} In 1997, the Ministry of Science and Education had a record of 1,311 children ages 5 to 15 who were not attending school.\textsuperscript{2069} In accordance with Regulation No. 439 (December 28, 1999) of the Cabinet of Ministers, information on children who are not attending school is to be compiled by the Ministry of Education and Science; however, this has not been carried out.\textsuperscript{2070}

**Child Labor Laws and Enforcement**

The Labor Code establishes 15 years as the minimum age for general employment, although children over 13 years of age may work in light jobs that are not harmful to their health and morals.

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\textsuperscript{2067} Reasons reported for children not in school include family homelessness and inability of parents to provide children with clothes, school supplies and textbooks, particularly for children from families living below the poverty level. Ibid., Section 11.1.

\textsuperscript{2068} School infrastructure has severely deteriorated. Few investments have been made in teacher training. The financial burden of maintaining and improving schools has fallen heavily on municipalities rather than on the central government, which is burdening local communities with excessive costs. See UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Latvia*, para. 43. See also World Bank, *Latvia - Education Improvement Project*.


if it does not interfere with school, and if the child has permission from a parent or guardian. According to the Labor Code, children under 18 years may not be employed in jobs requiring heavy labor, night-time or overtime work, or under conditions that are hazardous to health or morals. The Constitution prohibits forced labor, unless it is required by a court order or in the case of a disaster. Approved in May 2000, Article 165 of the Criminal Code prohibits sending a person to a foreign country for the purpose of sexual exploitation and serves as Latvia’s primary anti-trafficking legislation. Trafficking of a minor is punishable from 8 to 15 years of imprisonment. The Cabinet of Ministers also adopted Regulations on the Restriction of Prostitution in 1998, which prohibits juveniles from engaging in prostitution. Additionally, the Criminal Code prohibits the procuring, inducing or compelling of a minor to commit prostitution.

The Latvian Children’s Right’s Law was ratified in 1998, which guarantees children’s rights and freedoms at the national level.

The Government of Latvia has not ratified ILO Convention 138 or ILO Convention 182.

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2072 A State Labor Inspectorate was established by the government to monitor work conditions. If a violation of child labor laws should occur, the government agency will investigate the report and, if necessary, forward the case to state courts. *Latvia Labor Code, Amended March 17, 1992*, Sections 182, 84 and 86. See also U.S. Embassy- Riga, unclassified telegram no. 1381, October 2001.


2074 Because it is relatively new, the effectiveness of Latvia’s trafficking legislation has not yet been tested. In general, fear of retribution from traffickers makes victims reluctant to testify. In addition, victims report dissatisfaction with police handling of cases, which often prevents them from seeking immediate police assistance. Article 152, which prohibits illegal deprivation of liberty, and Article 153, which prohibits kidnapping, can also be used to prosecute trafficking. See *Latvia Criminal Code*, Articles 152, 53 and 65 as cited in Kamenska, “Trafficking in Women-Latvia,” 3, 4, 6 and 18.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lebanon has been a member of ILO-IPEC since 2000. In 1994, the Ministry of Social Affairs established the Higher Council for Childhood to coordinate efforts of governmental agencies and NGOs involved in supporting the rights of children. In 2000, with the support of UNICEF, the government’s Central Administration of Statistics conducted a Multiple Indicator Cluster Survey (MICS) on the Situation of Children, of which child labor and education were essential components. In conjunction with the Ministries of Health, Education, and Labor and Social Affairs, as well as with UNICEF, the Director General of Statistics chaired a national committee to draft the report based on the results of the MICS survey.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 45.3 percent of children ages 6 to 14 years were working in Lebanon. Just under half of working children are employed in industry, while 31 percent work in commerce, repairs and maintenance. Children work in metal works, handicraft and artisan establishments, as well as sales, construction work and the operation of machinery. Approximately 11 percent work in agriculture. The employment of children under the age of 10 is rare. Statistics from a 1997 study showed that the overwhelming majority of registered working children are boys. These official figures further indicate a decline in economically active

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2082 Ibid.


2084 Ibid., viii.

2085 Ibid., 9.


children in the past two decades.\textsuperscript{2088} UNICEF estimates of all child labor, including unregistered labor, however, suggest that over half of the children between the ages of 5 and 14 who are engaged in work are girls.\textsuperscript{2089} In poorer, more remote regions child labor is more prominent, and larger numbers of younger children are economically active.\textsuperscript{2090} National reports estimated that 25,000 children ages 7 to 14 are working in tobacco cultivation.\textsuperscript{2091} The majority of children working in tobacco cultivation are unpaid, some entering the labor force as early as 3 years old.\textsuperscript{2092}

On March 16, 1998, the Government of Lebanon adopted legislation providing free and compulsory primary school education through the age of 12.\textsuperscript{2093} Despite this legislation, education is not free. The average annual cost per student in primary education in 1997 was 271,000 Lebanese pounds (USD 176).\textsuperscript{2094} Lebanon enjoys one of the most advanced educational systems in the Arab world in terms of quality and gender equality. Literacy rates are the highest in the Arab

\begin{itemize}
\item \textsuperscript{2088} Central Administration of Statistics, \textit{Living Conditions in 1997}, 1997 quoted in ILO-IPEC, \textit{Child Labour on Tobacco Plantations: A Rapid Assessment}, viii and 7. Child workers who have been registered with the government constitute the official figures of “registered” children. These official figures suggest 2.8 percent of children aged 10 to 14 were economically active (5 percent of boys and 0.4 percent of girls in this age group), while 21.6 percent of children aged 15 to 19 were active (36.6 percent of boys and 5.8 percent of girls in this age group). Unofficial numbers of economically active children are almost certainly higher, see ILO-IPEC, \textit{Child Labour on Tobacco Plantations: A Rapid Assessment}, 8.
\item \textsuperscript{2089} Government of Lebanon, \textit{Multiple Indicator Cluster Survey 2: Lebanon}. More specific figures on gender disparities in paid and unpaid child labor can be found at UNICEF, \textit{Preliminary Report on the Multiple Cluster Survey on the Situation of Children in Lebanon}, February 2001, 10-11 [cited August 14, 2002]; available from http://childinfo.org/MICS2/newreports/lebanon/lebanon.pdf. Illegal and unregistered child labor overlap and are not included in official figures. The MICS2 survey included a broader study to include these sectors. Child labor below the legal age limit is, for instance, included in the MICS2 survey. Domestic labor is a sector that involves illegal and unregistered labor. See UNICEF, \textit{Preliminary Report on the Multiple Cluster Survey}, 3, 10-11.
\item \textsuperscript{2090} ILO-IPEC, \textit{Child Labour on Tobacco Plantations: A Rapid Assessment}, 8.
\item \textsuperscript{2091} The most widely cited reason for children engaging in child labor was economic need. Ibid., viii, 7 and 8.
\item \textsuperscript{2092} Ibid., viii.
\item \textsuperscript{2094} Lebanon has a unique education system made up of government and private institutions, to which the government pays partial fees. The figure above refers to the average costs of government primary education as cited in the table under paragraph 199. For an overall discussion, see Ibid., Section 5.2. See also William A. Rugh, “Arab Education: Tradition, Growth and Reform,” \textit{Middle East Journal} Vol. 56 No. 3 (2002), 402. See also United Nations Development Programme, \textit{Arab Human Development Report 2002}, Arab Fund For Economic and Social Development, New York, 2002, 55 [cited August 14, 2002]; available from http://www.undp.org/rbas/ahdr/CompleteEnglish.pdf. For currency conversion see FX Converter, [online] [cited August 13, 2002]; available from http://www.oanda.com/convert/classic. The conversion rate was based on August 1997 figures, the same year the estimates of education costs were calculated.
\end{itemize}
region. In 1998, the gross primary enrollment rate was 110.3 percent, (112.7 percent for boys and 107.8 percent for girls), and the net primary enrollment rate was 77.9 percent (79.2 percent for boys and 76.6 percent for girls). Attendance rates are not available for Lebanon. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

The progress in education is due in part to the high number of private schools in Lebanon. Notwithstanding this progress, child labor negatively affects the education of working children in Lebanon. Although the majority of the children working in tobacco cultivation, for instance, enroll in elementary school, work-related absenteeism negatively affects these children and contributes to the high dropout rate, occurring before they reach the secondary level. Approximately 38 percent of working children are illiterate or have been forced to abandon primary education entirely.

**Child Labor Laws and Enforcement**

The Labor Code of 1996 established the minimum age for employment at 14 years. It is illegal to employ a child under the age of 15 in industrial enterprises that are harmful or detrimental to their health, or to hire youth below the age of 16 in dangerous environments that threaten their life, health or morals. A 1999 amendment to the Code forbids the employment of children under the
age of 18 for more than six hours per day. The amendment also requires a thirteen-hour period of rest between workdays. In addition, children must be given an hour break after a four-hour period of labor. An employer may not work children between the hours of 7 p.m. and 7 a.m. Adolescents ages 14 to 17 must pass a medical examination to ensure that they can undertake the work for which they are to be engaged, and the prospective employer must request the child’s identity card to verify his/her age. The Ministry of Labor is responsible for the enforcement of child labor laws, but lacks adequate resources to be effective. The ministry has 75 inspectors and assistant inspectors.


2105 In addition, Article 30 states that employers, parents, and guardians are legally responsible for adherence to these child labor laws. Code du Travail, (modified 1996), 2: 22-24.


2107 U.S. Department of State official, electronic communication to USDOL official, February 2003.

Lesotho

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lesotho has established a National Child Labor Support Group that includes representatives from the Ministries of Labor, Education, Social Welfare, and Youth Affairs, plus traditional rulers, organized labor, NGOs and UNICEF. The group is developing an action plan to address child labor. In 2000, the government collaborated with UNICEF to conduct a multi-sectoral assessment on child labor.

In 2000, the Government of Lesotho began instituting a free primary education system, through which the government covers the cost of fees, books and one meal per day, and includes the first and second grades. In addition, a primary school education plan developed by the Ministry of Education provides for the prosecution of parents if children are not sent to school. The government is collaborating with UNICEF on several educational initiatives including non-formal education, early childhood education and primary education.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 20.7 percent of children ages 10 to 14 years in Lesotho were working. Boys as young as 6 years old are employed in hazardous conditions as livestock herders in the Lesotho highlands, either for their family or through an arrangement where parents hire out their sons. Child homelessness is an increasing problem due to factors such as poverty and the loss of children’s parents to HIV/AIDS. This leads more children to live on the streets.

References:


2113 Ibid.


where some are reported to find work as prostitutes. Children also work as domestics, car washers, taxi fare collectors, and vendors.

Education is free but not compulsory in Lesotho. In 1998, the gross primary enrollment rate was 101.6 percent, and the net primary enrollment rate was 60 percent. Girls’ net primary enrollment rate fell 18 percent between 1990 and 1997 due to poverty and the impact of the HIV/AIDS pandemic. Enrollment figures improved in 2000 as the free primary education program began, but the quality of education continues to be a serious problem. Rural children often work to support the family, and poverty makes school fees unaffordable. The problem of school absenteeism affects boys disproportionately, as livestock herding is considered a cultural prerequisite to manhood. Primary school attendance rates are unavailable for Lesotho. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 1996, the expenditure on primary education per student as a percent of GDP per capita was 18.1 percent.

Child Labor Laws and Enforcement

The Labor Code of 1992 establishes 15 years as the minimum age for employment, although children between 13 and 15 may perform light work in a technical school or approved institution. The Labor Code establishes 18 as the minimum age for hazardous work, and generally prohibits employment of children in work that is harmful to their health or development. There are no specific laws prohibiting trafficking in persons, but Proclamation


2118 Allegations of child labor in the textile and garment sectors have been investigated by the ILO, UNICEF, and the Labor Commission and have not been verified. See Ibid., 390-93, Section 6d.

2119 U.S. Embassy- Maseru, unclassified telegram no. 422.

2120 World Bank, World Development Indicators 2002.


2122 U.S. Embassy- Johannesburg, unclassified telegram no. 1406.


2124 Ibid.

2125 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

2126 World Bank, World Development Indicators 2002.


2129 U.S. Department of State, Country Reports- 2001: Lesotho, Section 6d.
No. 14 of 1949 imposes penalties for the procurement of women or girls for purposes of prostitution.\footnote{130}

The Ministry of Labor and Employment’s Inspectorate has weakly enforced statutory child labor prohibitions in the past, but in 2001 it was adequately staffed and its inspectors conducted quarterly inspections.\footnote{131}

The Government of Lesotho ratified ILO Convention 138 and ILO Convention 182 on June 14, 2001.\footnote{132}

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Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lithuania initiated the National Program Against Commercial Sexual Exploitation and Sexual Abuse of Children in 2000 to support the prevention of sexual crimes against children. In the same year, the Parliament created the position of Child Ombudsman to centralize advocacy efforts for children’s rights. The Advisory Council for Children’s Affairs was established under the jurisdiction of the president to address problems related to the protection of children’s rights. In November 2001, an interdepartmental task force was established to develop a strategy to address the problem of neglected children and street children.

The government is implementing a National Poverty Reduction Strategy with funding and assistance from the World Bank in order to assist vulnerable populations, including children. The World Bank has also funded an education project aimed at improving student achievement in basic education. In partnership with government agencies, IOM launched a counter-trafficking project aimed at establishing a coordinated system of assistance for trafficking victims from the

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2133 The program aims to create a system of prevention measures, determine the reasons behind the sexual exploitation of children, find ways of eliminating them, develop a legal base, strengthen criminal liability for persons who commit crimes against children, further develop measures for rehabilitation of child victims of violence or sexual exploitation, and create a system of institutions engaged in the protection of children’s rights. A commission for the coordination of the program was established in August 2001. U.S. Embassy- Vilnius, unclassified telegram no. 2335, October 2002.


2136 The task force is made up of representatives from the Ministries of Social Security and Labor, Education and Science, and Interior. U.S. Department of State, Country Reports- 2001: Lithuania, 1600-03, Section 5.


In January 2002, the Government of Lithuania approved the Program on Control and Prevention Against Prostitution and Trafficking in Humans.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Lithuania are unavailable. Children are reported to beg on the streets or perform odd jobs, such as cleaning cars or selling newspapers. There are reports of children as young as 11 years old working as prostitutes in brothels. According to UNICEF estimates, up to 50 percent of prostitutes in Lithuania could be minors. Organized crime figures are reported to use coercive means to traffic Lithuanian girls into prostitution abroad, particularly to Western European countries.

The Law on Education provides for school that is free of charge and compulsory from the age of 6 or 7 to 16 years. The law was amended in 1998, establishing 10 years of basic education and the admission of students aged 14 to vocational schools. The Constitution guarantees compulsory education. In 1998, the gross primary enrollment rate was 100.5 percent and the net primary enrollment rate was 93.7 percent. Primary school attendance rates are unavailable for Lithuania. While enrollment rates indicate a level of commitment to education, they do not

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2139 The project takes place in Estonia, Latvia and Lithuania, and is implemented through a partnership among the Ministries of Interior, Border Guards, Departments of Investigating Organized Crime, and Ministries of Foreign Affairs. IOM, Online Project Compendium, [online] [cited August 29, 2002]; available from http://www.iom.int/iomwebsite/Project/SeratchProject?event+detail&id=FI1Z045.

2140 The program will help organize a control and prevention system against trafficking in women, and will include education, social-economic, medical, national and international measures, with close cooperation between government and NGOs in the area of prevention. Kvinnoforum, A Resource Book for Working Against Trafficking in Women and Girls, Baltic Sea Region, 3rd ed. (February 2002), 43.


always reflect children’s participation in school. However, according to the Department of Statistics, in 1999 an estimated 22,000 children (4 percent) aged 7 to 15 were not in school.

### Child Labor Laws and Enforcement

The Law on Employment Contract sets the minimum age for employment at 16 years and stipulates that children from age 14 to 16 years may work in certain government-approved jobs with the consent of a parent or guardian. With additional consent of a doctor, the Law on Labor Protection allows for children under age 14 to participate in cultural or art festivals, provide communication services, or work in other activities that do not negatively affect their health, morals, or studies. Regulation No. 1055 includes a list of jobs and conditions that are considered dangerous for children from 13 to 18 years old. The Law on Labor Protection prohibits children under 18 years old from working in hazardous conditions, night work or overtime work. According to this law, children between ages 14 and 16 may work 24 hours per week, and children between ages 16 and 18 may work 36 hours per week. The Law on Fundamentals of Protection of the Rights of the Child stipulates that a child having attained 16 years of age may work, that employers must guarantee safety of children at work, and that the state protects the child from all forms of exploitation at work. Forced labor is prohibited by the Constitution.

 Trafficking is illegal in Lithuania and the Criminal Code was amended in 1998 to provide criminal liability of a fine or arrest for four to eight years. A new Criminal Code will come into force in January 1, 2003, which includes a section on crimes against children that addresses the worst forms of child labor. The punishment for exploiting children in the production of pornography is one

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2148 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


2151 See Republic of Lithuania Law on Labor Protection, Article 58.


2153 Republic of Lithuania Law on Labor Protection, Article 58.

2154 Ibid., Article 41.


2156 Ibid., Article 48.


2158 U.S. Embassy- Vilnius, *unclassified telegram no. 2335*.
to four years in jail; however, there is no official data on cases of children exploited for the purpose of pornography.\textsuperscript{2159}

The State Labor Inspectorate enforces the country’s child labor laws and investigates complaints related to employment of children under 18 years old.\textsuperscript{2160} During the first half of 2002, the State Labor Inspectorate conducted 107 inspections of employment of people under 18 years old and no cases of illegal child labor were found.\textsuperscript{2161}

The Government of Lithuania ratified ILO Convention 138 on June 22, 1998, but has not ratified ILO Convention 182.\textsuperscript{2162}

\textsuperscript{2159} U.S. Department of State, \textit{Country Reports- 2001: Lithuania}, 1600-03, Section 5.

\textsuperscript{2160} U.S. Embassy- Vilnius, \textit{unclassified telegram no. 2335}.

\textsuperscript{2161} Ibid.

**Macedonia**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Macedonia established an Ombudsperson for the Rights of Children in 1999. This office is empowered to take action against public authorities when children’s rights are violated, and reports to Parliament on an annual basis. In 1999, the government also signed a trans-border crime agreement as part of an effort to prevent trafficking and develop an effective transnational database mechanism. A Trafficking Taskforce was also established to coordinate anti-trafficking efforts with other countries in the region. In addition, the government is working with international organizations to implement anti-trafficking programs. OSCE and IOM are implementing prevention, protection and law enforcement projects to combat trafficking. UNICEF is working to increase access to schools by implementing projects that improve the overall quality of education.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that less than 1 percent of children ages 10 to 14 years in Macedonia were working. In rural areas, it has been reported that children leave school early to assist with agricultural duties. Children work in the informal sector and in illegal or unregistered small businesses, and are also found working in the streets and markets selling cigarettes and other small items. Trafficking of girls, especially for prostitution and pornography, is a growing

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2165 Ibid., 95.
2166 OSCE is the leading agency with regard to trafficking in Macedonia. Its programs include government negotiations, a working group on the subject and, in conjunction with the IOM, the development of a shelter for women. See Ibid., 97.
2168 The ILO reported that 0.02 percent of children in this age group were economically active. ILO, *Laborstat Database of Labor Statistics*, [database online] [cited August 13, 2002]; available from http://laborsta.ilo.org/.
2170 U.S. Embassy- Skopje, unclassified telegram no. 2616.
2171 UN Committee on the Rights of the Child, *Periodic Reports of State Parties: Macedonia*, para. 246.
Macedonia is a country of destination for women and children trafficked for prostitution from Eastern European countries such as Bulgaria, Moldova, Romania, Ukraine, and Yugoslavia, as well as a transit and source country for trafficking to Greece, Albania, Kosovo, and Western Europe. The Romanian Embassy and OSCE have indicated that of the 326 foreign women expelled from the town of Tetovo in 1999, many were being held against their will and that at least 20 percent of them were children. There are indications that children aged 17 have volunteered for military service in Macedonia. Furthermore, children between the ages of 14 and 18 have joined armed groups abroad during regional conflicts, for example in Bosnia and Kosovo.

The Constitution mandates free and compulsory primary education and all children are guaranteed equal access, although parents must provide children with books and supplies. The Law on Primary Education specifies that education is compulsory for eight years, normally between the ages of 7 to 15. In 1998, the gross primary enrollment rate was 102.9 percent and the net primary enrollment rate was 95.5 percent. Primary school attendance rates are unavailable for Macedonia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Dropout rates for girls in primary and secondary school are high, particularly among ethnic Roma or Albanian children.

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2173 UNICEF: Area Office for the Balkans, Trafficking in Human Beings in Southeastern Europe, 94. See also U.S. Department of State, Country Reports- 2001: Macedonia, 1625-27, Section 6f.


2176 The Ministry of Education is proposing that the government provide these materials free of charge through primary school. Transportation is also free for students. See U.S. Embassy- Skopje, unclassified telegram no. 2616.

Child Labor Laws and Enforcement

The Constitution and Labor Relations Act set the minimum age for employment at 15 years.\textsuperscript{2182} The Labor Relations Act prohibits overtime work by children, as well as work between 10 p.m. and 6 a.m., or work that may be harmful or threatening to their health or life.\textsuperscript{2183} The Constitution prohibits forced labor.\textsuperscript{2184} The Macedonian Criminal Code prohibits various acts of sexual exploitation against children, including the recruitment or solicitation of children for prostitution and/or the procurement of a child for these activities.\textsuperscript{2185} Individuals convicted of instigating, recruiting or procuring a child for prostitution shall be punished with imprisonment of one to five years.\textsuperscript{2186} The Government of Macedonia has recently adopted a law that criminalizes trafficking and actions associated with trafficking. Since the passage of this new law, there have been several arrests.\textsuperscript{2187} Labor Inspectors at the Ministry of Labor and Social Policy are responsible for enforcing the child labor laws; however, they have been reluctant to enforce these laws.\textsuperscript{2188}

The Government of Macedonia ratified ILO Convention 138 on November 17, 1991 and ILO Convention 182 on May 30, 2002.\textsuperscript{2189}

\begin{footnotes}
\item[2183] Labor Relations Act: Macedonia, 1993, Sections 63, 66 and 67.
\item[2187] U.S. Department of State, Trafficking in Persons Report: Macedonia, 72.
\item[2188] Labor Relations Act: Macedonia, 1993, Section 139. According to the government, no cases of child labor are filed with the Ministry. See also U.S. Department of State, Country Reports- 2001: Macedonia, 1625-27, Section 6d. See also Oliver Krliu, Embassy of the Republic of Macedonia, letter to USDOL official, September 14, 2000.
\end{footnotes}
Madagascar

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Madagascar has been a member of ILO-IPEC since 1998.\textsuperscript{2190} ILO-IPEC, in coordination with the government, has implemented three programs to remove children from working in quarries through prevention and education efforts.\textsuperscript{2191} The government is preparing a new action plan to eliminate the worst forms of child labor. The plan includes programs to remove child workers from the informal sector in the major cities.\textsuperscript{2192} The government is also working with ILO-IPEC to compile all laws and texts governing child labor and make them more widely available.\textsuperscript{2193}

The government has created a national inter-ministerial steering committee to coordinate and supervise all activities related to child labor and to provide support in the implementation of child labor action plans.\textsuperscript{2194} Child labor issues are included in conferences, in-service workshops, and training curriculum for labor inspectors.\textsuperscript{2195} In May 2000, over 20 labor inspectors representing all six provinces received training on the worst forms of child labor.\textsuperscript{2196} The Ministry of Tourism collaborated with UNICEF to conduct a survey on child prostitution.\textsuperscript{2197} The Ministry of Labor is collaborating with ILO-IPEC to conduct a survey of child prostitution and children working in quarries.\textsuperscript{2198} The Ministry of Labor has also collaborated with NGOs and faith-based groups to address child prostitution and return children involved in prostitution to school or vocational training.\textsuperscript{2199}

The Ministry of Education’s Education of Girls Office has implemented an assisted home study program that provides non-traditional education for working children.\textsuperscript{2200} The Ministry of

\textsuperscript{2190} ILO-IPEC, All About IPEC: Programme Countries, [online] [cited October 10, 2002]; available from http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm.

\textsuperscript{2191} Activities have included awareness-raising campaigns in the major port city of Tamatave and photo exhibits in all six provinces of Madagascar. By August 2000, ILO-IPEC programs had reintegrated some 300 children into schools in the Diego Suarez area, half of whom had been working in mines. U.S. Embassy- Antananarivo, unclassified telegram no. 1787, October 2001.

\textsuperscript{2192} Ibid.

\textsuperscript{2193} Ibid.

\textsuperscript{2194} Ibid.

\textsuperscript{2195} Ibid.

\textsuperscript{2196} U.S. Embassy- Antananarivo, unclassified telegram no. 1800, August 2000.

\textsuperscript{2197} Ibid.

\textsuperscript{2198} Ibid.

\textsuperscript{2199} Mamy Ratovomalala, Minister of Industrialism and Handicraft, letter to Ambassador of the United States of America in Madagascar, September 4, 2000.

\textsuperscript{2200} U.S. Embassy- Antananarivo, unclassified telegram no. 1787.
Education has also promoted educational opportunities through a safety net program for public primary schools that loans books to primary schools, renovates and expands schools, and increases staff.\textsuperscript{2201}

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 34.1 percent of children ages 10 to 14 years in Madagascar were working.\textsuperscript{2202} Most child labor occurs in the agricultural sector, where children work as unpaid laborers on family farms,\textsuperscript{2203} while other children work as domestic servants for third parties in both rural and urban areas. A small number of children work in the commercial and industrial sectors.\textsuperscript{2204} In urban areas, children work as petty traders, casual transport workers and beggars.\textsuperscript{2205} Some children are also employed under hazardous conditions in quarries and mines.\textsuperscript{2206}

The commercial sexual exploitation of children occurs and is on the rise in Madagascar, particularly in tourist areas and coastal fishing areas.\textsuperscript{2207} In 1999, it was reported that in recent years there have been reports that women and girls were trafficked to Reunion, a French overseas department, and Mauritius for the purpose of prostitution.\textsuperscript{2208}

Primary education is compulsory and free up to the age of 14.\textsuperscript{2209} Enforcement of compulsory education laws is generally weak.\textsuperscript{2210} In 1996, the gross primary enrollment rate was 97.2 percent, and the net primary enrollment rate was 65 percent.\textsuperscript{2211} Attendance rates are not available for Madagascar. While enrollment rates indicate a level of commitment to education, they do not

\textsuperscript{2201} Ibid.
\textsuperscript{2204} The 1993-1994 survey reported that 3 percent of working children are employed in services; 2 percent work in the commercial sector; and 1 percent work in the industrial sector. See Ibid.
\textsuperscript{2206} U.S. Embassy- Antananarivo, *unclassified telegram no. 1787*.
\textsuperscript{2210} U.S. Embassy- Antananarivo, *unclassified telegram no. 1787*.
\textsuperscript{2211} World Bank, *World Development Indicators 2002*. 289
always reflect children’s participation in school.\textsuperscript{2212} The percentage of students who began school in 1995 and reached grade two was 77 percent, while the percentage of students who reached grade 5 in 1995 was 40.0 percent.\textsuperscript{2213}

\textbf{Child Labor Laws and Enforcement}

The Labor Code sets the minimum age for employment at 15 years.\textsuperscript{2214} Decree 62-152 prohibits children under the age of 18 from engaging in work that could endanger their health, safety or morals.\textsuperscript{2215} Children under the age of 18 are also prohibited from performing night work.\textsuperscript{2216} Prostitution is not criminalized, but Ordinance 60-161 prohibits the procurement of children for prostitution with a sentence of imprisonment for two to five years and a fine of 750,000 to 7,500,000 Malagasy francs (USD 116.93 to 1,169.30) if the crime involves a minor under the age of 18. The same punishment can be imposed on any person who is the cause of the corruption of a child under the age of 16.\textsuperscript{2217} The minimum age for either conscription or voluntary recruitment into the military is 18 years.\textsuperscript{2218} Forced or bonded labor by children is prohibited.\textsuperscript{2219}

The Ministry of Civil Service, Labor and Social Laws enforces child labor laws through unannounced inspections.\textsuperscript{2220} Violations of labor laws are punishable with fines of up to 1.5 million Malagasy francs (USD 243.74),\textsuperscript{2221} imprisonment or closure of the workplace if it poses an imminent danger to workers. The government has not earmarked resources for investigations of exploitive child labor cases, and the Ministry of Labor does not have an adequate number of trained inspectors.\textsuperscript{2222} There are approximately 40 labor inspectors who do general inspections; none focus solely on child labor issues.\textsuperscript{2223} When violations are found, the fines reportedly are low

\textsuperscript{2212} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{2215} U.S. Embassy- Antananarivo, \textit{unclassified telegram no. 1787}. The decree was issued in 1962. See also Ratovomalala, letter, September 4, 2000.

\textsuperscript{2216} U.S. Embassy- Antananarivo, \textit{unclassified telegram no. 1787}.


\textsuperscript{2220} Ibid., 414-16, Section 6d. See also Ratovomalala, letter, September 4, 2000.

\textsuperscript{2221} For currency conversion see FX Converter, available at http://www.carosta.de/frames/convert.htm, [cited October 10, 2002].

\textsuperscript{2222} U.S. Embassy- Antananarivo, \textit{unclassified telegram no. 1787}.

\textsuperscript{2223} Ibid.
and employers are not jailed.\textsuperscript{2224} Labor inspectors cover only wage earners in the formal economy and cover only the capital region effectively.\textsuperscript{2225} The enforcement of child labor laws in the informal sector is pursued through the court system.\textsuperscript{2226}

The Government of Madagascar ratified ILO Convention 138 on May 31, 2000 and ILO Convention 182 on October 4, 2001.\textsuperscript{2227}

\begin{itemize}
\item \textsuperscript{2224} Ibid.
\item \textsuperscript{2225} U.S. Department of State, \textit{Country Reports- 2001: Madagascar}, 414-16, Section 6d and 6e.
\item \textsuperscript{2226} Ibid., 414-16, Section 6d.
\end{itemize}
Malawi

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Malawi is an associated country of ILO-IPEC. The government is participating in an ILO-IPEC regional program funded by USDOL to prevent the worst forms of child labor, and withdraw and rehabilitate children engaged in hazardous work in the commercial agriculture sector in East Africa. In April 2001, the Ministry of Labor and Vocational Training (MOLVT) signed an agreement with ILO-IPEC’s SIMPOC to conduct a USDOL-funded national household survey on child labor. Survey results will be used as the basis for drafting an action plan to implement ILO Convention 182.

The Ministry of Gender, Youth and Community Services collaborated with stakeholders to form the National Task Force on Children and Violence, which deals with child labor as well as other threats to children’s health and well being. The Tobacco Association of Malawi also initiated a child labor task force to raise awareness and formulate strategies to eliminate the problem. The task force is made up of representatives from government, business, international organizations, and labor, and was formed in November 2000. The MOLVT has partnered with UNICEF and the Norwegian Agency for International Development to raise awareness of the dangers of child labor. Approximately USD 900,000

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2230 The pilot study was completed in 2001. The results of the main survey are scheduled to be released in late 2002 or early 2003. See ILO-IPEC, SIMPOC: Malawi, project document, MLW/01/P50/USA, March 12, 2001, 18-19.


2232 In 2000, the Task Force worked with Save the Children to produce a situation analysis study on child abuse in Malawi. See ILO-IPEC, Regional Programme on Prevention, Withdrawal and Rehabilitation of Children engaged in Hazardous Work in Commercial Agriculture, technical progress report, 18.


will be provided to fund a common plan for action to eliminate child labor. Four tobacco-exporting companies joined forces in July 2001 to eliminate child labor in tobacco growing districts through the establishment of a program called Tobacco Exporters Children Service. Several international and national unions have signed agreements with tobacco workers and producers to eradicate child labor on commercial farms.

Basic education has remained a priority for Malawi since the early 1980s when the government proposed a 10-year National Development Plan in Education. In the early 1990s, Malawi expanded this plan to include goals outlined by the Education for All program. Since that time, Malawi has abolished school fees, more than doubled enrollment, increased education spending, launched several teacher training and adult literacy programs, reformed primary curriculums, built new schools, expanded early education, and invested in efforts to enroll and retain girls at all education levels.

In addition to subsidies from the government, educational institutions in Malawi receive contributions from religious organizations, local authorities, community associations, and local and international NGOs. Responding to reports of relatively high school drop-out rates among girls, UNICEF and the Government of Malawi announced in July 2002 a four-year plan to provide full and equal access to basic education through community schools. Save the Children-US has helped the Government of Malawi to expand rural education and train teachers through a village-

2235 Khunga, “Minister Bemoans the Increase in Child Labour.”
2237 The International Confederation of Free Trade Unions (ICFTU) and the International Union of Foodworkers signed an agreement with the International Association of Tobacco Producers to eradicate child labor on plantations. The Malawi Congress of Trade Unions (affiliated with the ICFTU) and the Tobacco Tenants and Allied Workers Union signed a similar agreement with the Tobacco Association of Malawi at a national level. International Confederation of Free Trade Unions (ICFTU), Report for the WTO General Council Review of Trade Policies of Malawi, Geneva, February 6-8, 2002, [cited December 13, 2002]; available from http://www.icftu.org/displaydocument.asp?Index=991214742&Language=EN.
2239 Ibid.
2240 Ibid.
based schools program aimed to increase girls’ attendance.2243 USAID also supports government efforts to encourage girls to enroll and remain in school, such as improving the quality of basic education and revising prohibitive policies like the former law requiring the expulsion of pregnant girls.2244

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 31.5 percent of children ages 10 to 14 years were working.2245 Children are largely found working in the informal sector or in farming, domestic service, and small businesses that include street-side welding, bicycle repair and furniture making. Children are rarely employed in the formal manufacturing sector.2246

Traditionally, children have worked in the agricultural sector alongside their parents.2247 Children are used in crop production, including tea and maize,2248 and on commercial tobacco farms, where the incidence of working children is particularly high.2249 Children also frequently perform domestic work to allow adults to work longer hours in the fields.2250 In 2001, children working on

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2243 Save the Children Fund-US provides funds and technical assistance to help communities construct schools. School management committees composed of community members are responsible for school administration. Schools are conveniently located reducing parents’ fears regarding their daughters’ safety to and from classes. See Save the Children - USA, Village-Based Schools Improve Girls’ Enrollment in Malawi, (Success Stories: Education), [online] 2002 [cited November 15, 2002]; available from http://www.savethechildren.org/mothers/programs/education.htm.


2245 World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002. However, a 2000 Malawi Demographic and Health Study found that a larger 53 percent of children worked either in family businesses, on farms, for non-relatives (as paid or unpaid employees) or spent 4 or more hours a day doing housework. See ILO-IPEC, Regional Programme on Prevention, Withdrawal and Rehabilitation of Children engaged in Hazardous Work in Commercial Agriculture, technical progress report, 20.


2249 A study on the tobacco sector in Malawi revealed that 78 percent of children ages 10 to 14 worked with their parents on tobacco estates on a full-time or part-time basis, and it also noted that children under the age of 10 were found working with their parents as full-time workers on the estates. See W. C. D. Kamkondo and K. Wellard, Women and Children in the Smallholder and Estate Subsector in Malawi, supplementary report to Estate Extension Service Trust (Lilongwe: Rural Development Department, Bunda College of Agriculture, 1994), as cited in Eldering, Nakanyane, and Tshoaedi, “Child Labor in the Tobacco Growing Sector in Africa”, 40.

2250 Ibid., 39.
commercial farms received international attention, prompting the tobacco industry to declare a ban on the use of child labor.\footnote{2251}

Malawi is considered to be a country of origin for child trafficking.\footnote{2252} According to a 2001 report conducted by the University of Malawi, businesswomen from Malawi, Tanzania and Zambia draw children between the ages of 12 and 13 into trafficking with promises of jobs in the United Kingdom and South Africa. In addition, young girls from Malawi’s rural areas are frequently lured to larger towns to work as babysitters but ultimately find themselves employed as barmaids and prostitutes. There have also been reports of young women working as domestic servants in urban areas for little or no wages.\footnote{2253}

Primary education is free but not compulsory under the Constitution.\footnote{2254} There are no current enrollment or attendance rates available for Malawi.\footnote{2255} Research recently published by the World Bank has shown that despite the increases in enrollment following the government’s decision to abolish school fees, the drop-out rate has continued to average around 50 percent throughout the 1990s.\footnote{2256} Indirect costs of education, family illnesses and the lack of interest in education have decreased the demand for school. Insufficient numbers of teachers and teaching materials, poor sanitation, poor teaching methods, and inadequate classrooms have also contributed to the government’s inability to provide quality education. Although Malawi’s education policies have led to increases in education for the poor, regional variations in enrollment and education quality have persisted, secondary education continues to favor the rich, and girls’ enrollment remains lower than that of boys, regardless of their economic class.\footnote{2257}
Child Labor Law and Enforcement

The Employment Act No. 6 of 2000 sets the minimum age for employment at 14 years, but does not apply to work done in vocational technical schools, other training institutions or unpaid work in homes. Employment Act. No. 6, Section 21, as cited in Eldering, Nakanyane, and Tshoaedi, “Child Labor in the Tobacco Growing Sector in Africa”, 37.

The Employment Act also allows children between the ages of 14 and 18 to engage in non-hazardous work that is not prejudicial to their attendance at school or any other vocational or training program. Employment Act. No. 6, Section 23, as cited in U.S. Embassy- Lilongwe, unclassified telegram no. 0390. See also Eldering, Nakanyane, and Tshoaedi, “Child Labor in the Tobacco Growing Sector in Africa”, 37. For currency conversion, see FX Converter, [online] [cited August 28, 2002]; available from http://www.carosta.de/frames/convert.htm.

Employers are required to keep a register of all employees under the age of 18, and violation of this law can result in a fine of MK 20,000 (USD 241) and five years of imprisonment. There are no express legal restrictions on children’s work hours. The Constitution and the Employment Act prohibit forced and compulsory labor. Violators are liable for penalties of MK 10,000 (USD 120) and two years of imprisonment under the Employment Act. The trafficking of persons is not specifically prohibited by law. However, the Penal Code does prohibit the procurement of any girl under the age of 21 to have unlawful sexual relations, either in Malawi or elsewhere. Furthermore, it is also illegal to procure and transport a woman or girl with the intention of making her a prostitute.

The MOLVT and the police are charged with enforcement of child labor laws, but enforcement has been minimal due to lack of resources.


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2259 Ibid.


2264 Malawi’s Gender, Youth and Community Services Ministry has announced plans to patrol pubs, drinking places and other entertainment areas in search of underage female barmaid working as prostitutes. See Raphael Tenthani, “Malawi to Crack Down On Teenage Barmaids,” allAfrica.com, Panafire News Agency (Blantyre), December 14, 2000, [cited December 13, 2002]; available from http://allafrica.com/stories/printable/200012140082.html.

2265 Protection Project, “Malawi.”


Mali

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mali has been a member of ILO-IPEC since 1998. With support from ILO-IPEC, the government has been building its capacity to combat child labor on the national and regional level. Mali is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. In January 2002, the President of Mali, the Confédération Africaine de Football, the Comité d’Organisation de la Coupe d’Afrique des Nations, and ILO-IPEC launched an awareness raising campaign on child labor to coincide with the 2002 African Cup of Nations, a popular soccer tournament. In 2002, the government was also preparing to implement a national child labor survey in Mali, with technical assistance from ILO-IPEC’s SIMPOC, to measure the nature and extent of child labor at a national level.

In September 2000, the Governments of Mali and Côte d’Ivoire signed a cooperative agreement to control cross-border trafficking. The two countries have developed national plans of action covering the prevention of child trafficking, controlling and monitoring child trafficking, and repatriating and rehabilitating children who have been trafficked. In 1998, the government developed a plan to include marabouts, Koranic teachers, some of whom reportedly employ students as beggars, in the campaign against child begging.

Following the World Declaration on Education for All (1990), the Government of Mali developed a New Education System (NES), which is the foundation of the basic education system in Mali. The goals of the NES are to retain the Malian cultural identity and to make education more relevant

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2270 The regional child trafficking project now covers Benin, Burkina Faso, Cameroon, Côte d’Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. See Ibid., 1.


2272 ILO official, electronic communication to USDOL official, August 28, 2002.

2273 ILO-IPEC, Combating the Trafficking of Children (Phase II), project document, 8


by linking schooling to life skills, and democratizing the school system. Working with international donors, the Primary Education Support Fund, and other partners, the Government of Mali undertook tasks to help equip and renovate classrooms, recruit teachers, and produce new teaching materials.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 51.1 percent of children ages 10 to 14 years in Mali were working. Children work in the agricultural sector, in mining and gold washing, and as domestic servants in urban areas. In some cases, children work as street beggars for marabouts as part of their education at Koranic schools.

Mali is a source of trafficked children, most of whom are sold into forced labor in Côte d’Ivoire to work on coffee, cotton, and cocoa farms or to work as domestic servants. Organized networks of traffickers, promising parents that they will provide paid employment for their children, reportedly sell the children to commercial farm owners for between 14,500 to 29,000 CFA (USD 22 to 43).

Primary education is compulsory and free until the age of 13; however, students must pay for their own uniforms and school supplies to attend public schools. In 1998, the gross primary enrollment rate was 53.1 percent, and the net primary enrollment rate was 41.7 percent. In 1996, the gross primary attendance rate was 40.6 percent and the net primary attendance rate was...

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2276 Ibid., para. 146.

2277 Between 1993 and 1995, the Government of Mali built and equipped 880 classrooms, renovated 1773, and equipped 1847 classrooms Ibid., para. 149.


2279 UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Mali*, para. 32. See also ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, Country Annex VII.


2282 Ibid., 434-36, Section 6f. For currency conversion see FX Converter, [online] [cited October 16, 2002]; available from http://www.carosta.de/frames/convert.htm.


2284 World Bank, *World Development Indicators 2002*. 
29.4 percent.\textsuperscript{2285} A significant gender disparity exists for primary school students; in 1996, the gross primary attendance rate was 47.6 percent for boys and 33.7 percent for girls.\textsuperscript{2286}

**Child Labor Laws and Enforcement**

Article 187 of Labor Code sets the minimum age for employment and apprenticeship at 14 years.\textsuperscript{2287} However, children ages 12 to 14 may work up to two hours per day during school vacations with parental approval. Children ages 14 to 16 years may work up to four and a half hours per day with the permission of the labor inspectorate (but not during nights, holidays, or on Sundays) and children ages 16 to 18 years may work in jobs that are not physically demanding.\textsuperscript{2288} The Constitution prohibits forced labor by children.\textsuperscript{2289} Articles 189 and 190 of the Criminal Code establish penalties for the sale, trafficking and abduction of children.\textsuperscript{2290} Article 183 of the Criminal Code establishes penalties for the sexual exploitation and sexual abuse of children.\textsuperscript{2291} Labor inspectors conduct surprise and complaint-based inspections but operate only in the formal sector and lack resources to effectively monitor child labor.\textsuperscript{2292} The frontier police, Interpol, and territorial and security authorities are responsible for enforcing the cooperative agreement to curb cross-border trafficking signed between Côte d’Ivoire and Mali.\textsuperscript{2293} By the end of 2001, 10 traffickers, who were arrested in Sikasso, were in detention awaiting trial for trafficking children.\textsuperscript{2294}

The Government of Mali ratified ILO Convention 138 on March 11, 2002 and ILO Convention 182 on July 14, 2000.\textsuperscript{2295}


\\[\textsuperscript{2286} \text{Ibid.}\]

\\[\textsuperscript{2287} \text{UN Committee on the Rights of the Child, } \textit{Initial Reports of States Parties: } \textit{Mali}, \text{ para. 168.}\]

\\[\textsuperscript{2288} \text{U.S. Department of State, } \textit{Country Reports- 2001: } \textit{Mali,} \text{ 434-36, Section 6d.}\]

\\[\textsuperscript{2289} \text{Ibid., 434-36, Section 6c.}\]

\\[\textsuperscript{2290} \text{UN Committee on the Rights of the Child, } \textit{Initial Reports of States Parties: } \textit{Mali}, \text{ para. 176.}\]

\\[\textsuperscript{2291} \text{Ibid., para. 168. } \text{See also Government of Mali, } \textit{Criminal Code, Section V: Offenses Against Public Morals Public Offenses Against Decency,} \textit{[cited December 13, 2002]; available from http://www.protectionproject.org/main1.htm.}\]

\\[\textsuperscript{2292} \text{U.S. Department of State, } \textit{Country Reports- 2001: } \textit{Mali,} \text{ 434-36, Section 6d.}\]


\\[\textsuperscript{2294} \text{U.S. Department of State, } \textit{Country Reports- 2001: } \textit{Mali,} \text{ 434-36, Section 6f.}\]

\\[\textsuperscript{2295} \text{ILO, } \textit{Ratifications by Country}, \textit{in ILOLEX, [database online] [cited December 13, 2002]; available from http://ilolex.ilo.ch:1567/english/newratframeE.htm.}\]
Mauritania

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 2000, the Government of Mauritania began working with the ILO to raise awareness on worker rights, including child labor. The government drafted a national plan on workers’ rights, which led to recommendations by the ILO that the government conduct studies on the extent of the child labor problem and forced labor in Mauritania, due to the lack of available information on these subjects. The government is currently working with the ILO to plan the child labor study, which the government views as necessary prior to discussion of a broad-based, national program to address the issue. Small-scale efforts to eradicate child labor are taking place, including the passage of a 2002 regulation prohibiting children from selling in the streets of the capital city, Nouakchott, as well as government-funded magazine and TV ads on child labor.

In 1999, the Government of Mauritania announced its current educational plan, which is intended to run for 15 years and aims to provide all children with 10 years of basic schooling (elementary plus the first secondary level), followed by training opportunities tailored to the requirements of the labor market. New emphasis will be placed on pre-school education that prepares children for basic education and on creating incentives to encourage private education. The goals for elementary school education are to achieve universal access by 2005, raise the retention rate from 55 to 78 percent by 2010, eliminate gender and regional disparities, improve the quality and relevance of education, and lower the pupil-teacher ratio. Mauritania is also aiming to raise the share of education spending from 3.7 percent of GDP in 1999 to 5.4 percent of GDP by 2015. The World Bank is assisting the government to achieve these goals through a USD 49.2 million education loan project aimed at increasing enrollment, particularly among girls and in low-performing regions.

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2296 Khaled Cheikhna, Director of Labor, Mauritanian Ministry of Labor, interview with USDOL official, August 14, 2002.

2297 Dina, Secretary General, Union des Travailleurs de Mauritanie (UTM), interview with USDOL official, August 15, 2002. See also Cheikhna, interview, August 14, 2002.

2298 Cheikhna, interview, August 14, 2002.


2300 Dina, interview, August 15, 2002.


2302 Ibid.

2303 Ibid.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 22.1 percent of children ages 10 to 14 years in Mauritania were working.\textsuperscript{2305} Children traditionally work on family subsistence farms, as a means of survival.\textsuperscript{2306} They also perform a wide range of other informal activities, such as working as cashiers,\textsuperscript{2307} street workers, dishwashers in restaurants, car washers, domestic workers, fishermen,\textsuperscript{2308} herders, and apprentices in garages.\textsuperscript{2309} In addition, children living with marabouts, or Koranic teachers, assist with domestic work.\textsuperscript{2310} Mauritania abolished slavery in 1980;\textsuperscript{2311} however, due to the lack of economic and social opportunities for former slaves, their children are at risk of abject poverty,\textsuperscript{2312} which may serve as an impetus for child labor.

Beginning in July 2001,\textsuperscript{2313} seven years of school attendance beginning at age 7 became compulsory.\textsuperscript{2314} In 1998, the gross primary enrollment rate was 83.2 percent, and the net primary enrollment rate was 60.2 percent.\textsuperscript{2315} Primary school attendance rates are unavailable for Mauritania. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2316} Public school is free, but other costs such as books and lunches make education unaffordable for many poor children.\textsuperscript{2317} Ongoing challenges to the provision of quality education in Mauritania include the high dropout and repetition rates, a


\textsuperscript{2306} Dina, interview, August 15, 2002.

\textsuperscript{2307} Nahah, Secretary General, Confederation General des Travailleurs de Mauritanie (CGTM), interview with USDOL official, August 14, 2002.

\textsuperscript{2308} Ely Samake, UNICEF, interview with USDOL official, August 15, 2002.

\textsuperscript{2309} Nahah, interview, August 14, 2002.

\textsuperscript{2310} Sow, interview, August 15, 2002.


\textsuperscript{2312} Samory O. Beye, Secretary General, Confederation Libre des Travailleurs de Mauritanie (CLTM), interview with USDOL official, August 14, 2002.


\textsuperscript{2314} Samake, interview, August 15, 2002.

\textsuperscript{2315} World Bank, \textit{World Development Indicators 2002}.

\textsuperscript{2316} For a more detailed description on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{2317} Samake, interview, August 15, 2002.
shortage of teachers, an inadequate curriculum, and poor national infrastructure, which prevents children from accessing schools.

**Child Labor Laws and Enforcement**

The Labor Law sets the minimum age for employment at 14 years, except in specific circumstances approved by the Minister of Labor. The Labor Law also prohibits forced labor and sets 18 years as the minimum age for work requiring excessive force, or that could harm the health, safety, or morals of children. The Labor Law contains special regulations on night work and general working hours for children under 16 years. The Criminal Code, which follows Islamic criminal law, establishes strict penalties for engaging in prostitution or procuring prostitutes, ranging from fines to imprisonment for six months to imposition of the death penalty. Trafficking is not specifically prohibited, but the Criminal Code sets a penalty of imprisonment for the use of fraud or violence to abduct minors.

The Labor Inspectorate is responsible for enforcing child labor laws in the formal sector, and according to the government, no cases of child labor have been reported. However, the government reportedly lacks the resources to effectively monitor compliance with child labor laws. Information is not available on prosecutions or convictions related to commercial sexual exploitation of children. According to UNICEF, the government is tightening security at airports and questioning travelers vigilantly as preventive measures against trafficking.


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2319 Samake, interview, August 15, 2002.


2321 Ibid., Premier Livre, Article 3.

2322 Ibid., Deuxième Livre, Article 47.

2323 Ibid., Deuxième Livre, Articles 7-14.


2326 Cheikhna, interview, August 14, 2002.


2328 Samake, interview, August 15, 2002.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1998, the Government of Mauritius worked with UNICEF and the World Health Organization (WHO) to study child prostitution and in 2000, the government developed a National Action Plan to Combat Commercial Sexual Exploitation of Children in Mauritius. One of the elements of the plan has been to pass laws that strengthen government capacity to address child prostitution. In 1990, the government also enacted legislation establishing the National Children’s Council, a body to coordinate ministry and NGO efforts to combat child abuse, neglect and exploitation. The government is currently working with social partners to develop a comprehensive policy on child labor.

In 2001, the government announced an education reform plan to increase the mandatory education age to 16, provide additional secondary schools and increase access to secondary school education. Based upon the country’s economic performance and government achievements in improving the well being of children and young people, UNICEF will close out funding allocations in Mauritius by 2003.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 2.0 percent of children ages 10 to 14 years in Mauritius were working. The Ministry of Women’s Rights, Child Development, and Family Welfare reported that in 1998, approximately 2000 children between the ages of 12 and 14 were either employed or looking for work. Children are usually found working on the streets, in small businesses and in agriculture. On the island of Rodrigues, children are found working in homes, on farms and in shops. In 1998, the UNICEF/WHO study on commercial sexual exploitation of children

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2331 N. Nababsing, Permanent Secretary, Ministry of Labor and Industrial Relations, Republic of Mauritius, survey questionnaire response to USDOL official, September 2001, 3.


2333 In 1997, the UNICEF Executive Board decided to gradually phase out funding allocations for countries that had achieved established threshold levels for gross national product (USD 2,895 per capita) and under 5 mortality rates (30 deaths per 1000). In the 1990s, Mauritius reached these thresholds. UNICEF, Mauritius: An Island Fit for Children, [online] July 31, 2002 [cited August 29, 2002]; available from http://www.unicef.org/noteworthy/mauritius.


Child Labor Laws and Enforcement

The Education Act provides for compulsory and free primary schooling until the age of 12. In 1996, the government subsidized the school fees of each 4-year-old as a way to ensure that each child starts primary school with at least one year of pre-school experience. In 1998, approximately 96 percent of the children entering primary school had completed at least one year of pre-primary schooling. In 1998, the gross primary enrollment rate was 107.7 percent, and the net primary enrollment rate was 93.3 percent. Attendance rates are not available for Mauritius. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Labor Act of 1975 sets the minimum age for employment at 15 years. Under the Occupational Safety, Health and Welfare Act of 1989, young persons between the ages of 15 and 18 are allowed to work in hazardous work settings provided they are trained to operate machinery and are supervised by an experienced operator. The Criminal Code contains provisions prohibiting child prostitution, and the sale, trafficking and abduction of children. In 1998, the penalties for persons operating brothels were increased from a fine of 3,000 rupees (USD 102) and imprisonment not to exceed one year, to a fine of 100,000 rupees (USD 3,384) and imprisonment not to exceed five years. Penalties for persons convicted of the sale, trafficking or abduction of a

2340 Children begin primary school at the age of 5 and are expected to complete primary education at age 12. Nababsing, Child Labor Questionnaire response, September 2001, 3 and 10.
2341 UNESCO, Education for All 2000 Assessments: Country Reports - Mauritius, prepared by Ministry of Education and Human Resource Development, pursuant to UN General Assembly Resolution 52/84, [cited August 13, 2002]; available from http://www2.unesco.org/wef/countryreports/mauritius/contents.html. At the end of the sixth grade, students must take a nationally administered test to qualify for secondary school. In 1997, the repetition rate for sixth grade was 21 percent, and 63 percent of the students obtained a certificate of primary education. UNESCO, EFA 2000 Report: Mauritius.
2342 World Bank, World Development Indicators 2002.
2343 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2345 Children are not required to clean machinery if this would expose them to the risk of injury. Ibid., 2.
child are a fine of at least 10,000 rupees (USD 338) or a prison sentence not to exceed five years.\textsuperscript{2347} Forced and bonded labor by children is illegal.\textsuperscript{2348}

The Ministry of Labor and Industrial Relations is the government agency that oversees the enforcement of child labor laws. There are 39 labor inspectors and eight labor officers whose duties include investigating child labor practices. In 2000, over 5250 child labor inspections were conducted and from January to June 2001, 2,421 child labor inspections were conducted.\textsuperscript{2349} The police enforce laws on child prostitution. According to a June 2000 report by the Working Group on Contemporary Forms of Slavery, the existing legal provisions on child prostitution were not comprehensive enough to prosecute child sexual exploitation adequately, and there was insufficient police resolve, capacity and sensitivity to intervene in cases of child prostitution.\textsuperscript{2350}

The Government of Mauritius ratified ILO Convention 138 on July 30, 1990, and ILO Convention 182 on June 8, 2000.\textsuperscript{2351}

\begin{footnotesize}
\begin{itemize}
  \item \textsuperscript{2347} Nababsing, Child Labor Questionnaire response, September 2001, 3. For currency conversion, see FX Converter, [online] [cited October 8, 2002]; available from http://www.carosta.de/frames/convert.htm.
  \item \textsuperscript{2348} U.S. Department of State, \textit{Country Reports- 2001: Mauritius}, 459-61, Section 6c.
  \item \textsuperscript{2349} Nababsing, Child Labor Questionnaire response, September 2001, 7.
  \item \textsuperscript{2350} ILO-CEACR, \textit{Individual Observation- Convention 29}.
\end{itemize}
\end{footnotesize}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In November 2001, the Government of Moldova established a National Committee for Combating Trafficking in Human Beings and adopted a National Plan of Action to address the problem.\textsuperscript{2352} Also in 2001, the Parliament passed additions to the Criminal Code with provisions against trafficking, forced labor, and sexual exploitation.\textsuperscript{2353} In addition, the government has established and trained an anti-trafficking unit in the police force, but there are reports that the unit is understaffed and poorly funded.\textsuperscript{2354} Due to a lack of funds at the national level, as well as corruption and linkages between government officials and organized crime, the majority of trafficking protection and awareness raising measures are being implemented by Moldovan NGOs.\textsuperscript{2355} Moldova participates in the Southeastern European Cooperative Initiative Human Trafficking Task Force, which is intended to coordinate regional efforts by governments to combat trafficking in persons.\textsuperscript{2356} The government has cooperated with Belarus, Ukraine, and Russia to investigate trafficking cases;\textsuperscript{2357} however, it is reported that borders are not adequately monitored.\textsuperscript{2358}

\begin{footnotesize}
\begin{enumerate}
\item Ibid., 29.
\item According to UNICEF, the unit consists of only a few police officers; it lacks equipment, telephones and gas, and staff did not receive payments for several months. Ibid., 30.
\item IOM is implementing a trafficking awareness raising campaign; UNICEF assists girls at risk of trafficking and prostitution; and other NGOs, including La Strada and Association for Women Lawyers, are working on the issue. For the most part, these activities are planned and implemented independently; however, the government is planning to cooperate with La Strada to implement an awareness raising campaign in schools. Ibid., 30-32.
\end{enumerate}
\end{footnotesize}
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 37.1 percent of children ages 5 to 14 years in Moldova were working.\textsuperscript{2359} Moldova is a primarily agricultural country, and it is common for children in rural areas to work on family farms or help with household chores.\textsuperscript{2360}

Street children in Chisinau and Belti are reported to work as prostitutes as a means of survival.\textsuperscript{2361} Moldova is a source country for trafficking of women and girls for prostitution to destinations including Turkey, Greece, Cyprus, Italy, Hungary, Bulgaria, Slovakia, Bosnia, Macedonia, and Yugoslavia.\textsuperscript{2362} Young women in rural areas are frequently the target population for traffickers who offer transportation to jobs overseas, but upon arrival, confiscate passports and require payments earned through prostitution.\textsuperscript{2363} According to information gathered by IOM through its assistance projects, some trafficked girls are as young as 12 years old.\textsuperscript{2364}

Education for children is compulsory for nine years, beginning at age 7.\textsuperscript{2365} While the Constitution guarantees free public education,\textsuperscript{2366} families face significant additional expenses, including supplies, clothes, and transportation fees.\textsuperscript{2367} The most recent primary school enrollment and attendance statistics indicate that most children are receiving a basic education, with very little variation by gender or regional distribution. In 1996, the gross primary enrollment rate was 97.4

\textsuperscript{2359} The total number of “working” children included “children who have done any paid or unpaid work for someone who is not a member of the household or who did more than four hours of housekeeping chores in the household or who did other family work.” 10 percent of children ages 5 to 14 had unpaid jobs for someone other than a household member, and 2 percent were engaging in paid work. Government of Moldova, \textit{Multiple Indicator Cluster Survey (MICS) 2}, UNICEF, 2000, [cited August 21, 2002]; available from http://www.childinfo.org/MICS2/newreports/moldova/moldova.pdf.


\textsuperscript{2364} Barbara Limanowska, \textit{Trafficking in Human Beings in Southeastern Europe}, 26.


\textsuperscript{2367} U.S. Embassy- Chisinau, \textit{unclassified telegram no. 1400}.
percent, and in 2000, the net primary school attendance rate was over 98 percent. Press reports indicate that attendance may be lower in rural areas.

**Child Labor Laws and Enforcement**

The Labor Law sets the minimum age for employment at 16 years, but in exceptional cases and with permission of the Trade Union Committee, allows for the employment of minors at age 15. However, the Law on Children’s Rights allows children to work at age 14, but only with parental authorization and providing that the work will not interfere with the child’s education. Children under 18 years are prohibited from participating in hazardous work, including work underground, work related to alcoholic beverage production, transportation, and sales, and work with heavy metals. Legal remedies, civil fines and criminal penalties exist to enforce labor legislation, with fines ranging from USD 133 to 400 and prison terms of up to three years for repeat offenses. The Constitution prohibits forced labor and the exploitation of minors. The Criminal Code prohibits selling and trafficking children and sets a penalty of three to eight years for violation. A new Criminal Code, set to come into force in 2003, provides for 10 to 15 years imprisonment for trafficking and the use of children in the worst forms of child labor. The Law on Children’s Rights protects children under 18 years of age from prostitution or sexual exploitation.

In January 2002, Moldova introduced a restructured, 121-person Labor Inspection Office, which is responsible for enforcing all labor laws, including those pertaining to child labor. According to a Ministry of Labor official, no cases of child labor were uncovered by the office between January

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2369 While the official age to enter primary school is 7 years, a number of children go to school before the age of 7. To account for these children, the primary school attendance rate includes all children of primary school age who were currently attending school in the school year immediately preceding the survey. Government of Moldova, *MICS2*, 14.

2370 According to 2001 Moldovan press reports, the Ministry of Education estimated that 25 percent of children in rural areas were not attending school. U.S. Department of State, *Country Reports- 2001: Moldova*, 1643-46, Section 5.


2372 Article 11 of the Law on Children’s Rights as cited in Ibid.

2373 Article 183 of the Labor Law, as cited in Ibid.

2374 The Constitution prohibits forced labor and the exploitation of minors. The Criminal Code prohibits selling and trafficking children and sets a penalty of three to eight years for violation. A new Criminal Code, set to come into force in 2003, provides for 10 to 15 years imprisonment for trafficking and the use of children in the worst forms of child labor. The Law on Children’s Rights protects children under 18 years of age from prostitution or sexual exploitation.


and October of 2002. Various government agencies and units have jurisdiction to address trafficking, including a police unit within the Ministry of Internal Affairs, the Justice Service, the Police Academy, the General Prosecution Office, and the Ministries of Justice, Labor, Security, and Economy. As of September 2001, 33 cases against traffickers were pending, and prior to September, 15 cases were prosecuted and ended in amnesties (no prison sentences).


2378 U.S. Embassy- Chisinau, unclassified telegram no. 1499.
2379 Barbara Limanowska, Trafficking in Human Beings in Southeastern Europe, 29.
Mongolia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mongolia has been a member of ILO-IPEC since 1999. The National Council for Children, established in 1994 and led by the Prime Minister, reviews policies and mobilizes resources for the protection of children. The National Children’s Committee, under the Minister for Social Welfare and Labor (MOSWL), oversees the implementation of the government’s policies on children and provides training to government officials, NGOs, and child specialists. In 1999, an ILO-IPEC country program funded by USDOL began to build capacity among institutions to combat child labor, raise awareness, and sponsor activities to remove children from work in mining, prostitution, the informal sector (including scavenging in dump sites), and livestock herding.

The government provides funds to shelters for vulnerable children. In conjunction with local governments, Save the Children UK works with vulnerable children, such as children living on the streets, by supporting shelters and providing services, and performs advocacy and capacity building. USAID has supported vocational education for teenagers and the World Bank initiated a project to provide microfinance to vulnerable rural families.

Since 2000, the government has provided school materials to children from poor families to encourage them to stay in the formal school system. In 1997, the Ministry of Education, Culture and Science established a Non-Formal Education Center to provide assistance and training.

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2382 ILO-IPEC, National Program for the Prevention and Elimination of Child Labor in Mongolia, Phase II, project document, MON/02/P50/USA, Geneva, August 30, 2002.

2383 It was recently upgraded to agency status, and renamed the National Children’s Board. Ibid., 29.

2384 The project was funded in September 1999. ILO-IPEC, National Program for the Prevention and Elimination of Child Labor in Mongolia, Phase I, project document, MON/99/05P/050, Geneva, 1999.


2389 Between 2000-2002, approximately 70,000 children received one-time assistance of this nature. ILO-IPEC, National Program in Mongolia, Phase II, project document, 12.
The Non-Formal Education Centers exist in each province, and provide training and education to people of various ages. In addition, vocational education facilities have been decreasing since the transition to a market economy and far fewer students are now able to access those resources. Tuition for vocational schools is charged to meet budget shortfalls, tending to exclude children from poorer families.

The Asian Development Bank is supporting a program to make the education sector more effective, cost efficient and sustainable. The program will also assist the government to implement a Second Education Development Project (SEDP) that will improve access to and quality of education at the basic, non-formal and secondary levels, and create a technical education and vocational training program that teaches skills geared to the local context.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 1.4 percent of children ages 10 to 14 years in Mongolia were working. Children herd livestock and work as domestic servants. Other children sell goods, polish shoes, act as porters, scavenge for saleable materials, beg, and act as grave diggers. Children also work in informal coal mining, either in the mines or scavenging for coal outside, as well as in informal gold mining. There are increasing numbers of children living on the streets in the capital, Ulaan Baatar, who may be at risk of engaging in hazardous

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2390 The Non-Formal Education Centers exist in each province, and provide training and education to people of various ages. In addition, vocational education facilities have been decreasing since the transition to a market economy and far fewer students are now able to access those resources. Tuition for vocational schools is charged to meet budget shortfalls, tending to exclude children from poorer families. Ibid., 12-13, 30.


2396 Ts. Ariuntungalag, “Child Labour in Mongolia” (Ulaan Baatar: Save the Children Fund, 1998), as quoted in Ibid., 16.

2397 Most mines were closed almost a decade ago, but since many of the openings still exist, in practice coal mining continues. For a discussion of the conditions children face working in the sector, see pages 22 to 23 of the Mongolian Women’s Federation Study, commissioned by ILO-IPEC in 2000, as cited in Ibid.

2398 Children do not work in formal (registered) gold mining due to labor inspections and high rates of adult participation, but children are engaged in illegal informal mining, in which individuals work in former gold mines year-long, or in legal mines when they are not in actual operation, such as during winter months. Ibid., 23-25.
work. Urban children often work in small enterprises such as food shops, or in light industry. To a lesser extent, children are engaged in commercial sexual exploitation. There is increasing concern about the trafficking of persons due to factors such as weak border controls and low public awareness, but comprehensive information about the nature and extent of trafficking in Mongolia is not available.

Article 16 of the Mongolian Constitution provides free basic education. The Educational Law was revised in May 2002 to expand compulsory education to nine years of schooling, lower the age of enrollment to age 7, and formally define the NFE structure. The revised Law on Primary and Secondary Education of May 2002 directs local governments to cover the costs of NFE. Children who enroll in NFE are entitled to take the formal school exams in order to receive primary or secondary school certifications. The new Law on Vocational Education was also adopted in May 2002, providing public funds to cover the cost of primary level vocational courses and dormitory costs for students. The law also allows students to join short skills training courses without providing a certificate of completion for compulsory schooling. In 1998, the gross primary enrollment rate was 93.7 percent. The net primary enrollment rate was 85.4 percent, with 87.1 percent of girls enrolled versus only 83.7 percent of boys. At the national level, 75.6 percent of children ages 7 to 12 are in attendance at the primary school level. Young boys often leave school to assist their families with livestock. Because Mongolia is largely rural, the government subsidizes dormitories to allow children to stay near schools.

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2400 ILO-IPEC, National Program in Mongolia, Phase II, project document, 21.

2401 Ibid., 18-20.

2402 In addition, the extent to which children are victims of trafficking is uncertain. U.S. Department of State, Country Reports- 2001: Mongolia, 1110-12, Section 6f.


2405 ILO-IPEC, National Program in Mongolia, Phase II, project document, 11.


2407 World Bank, World Development Indicators 2002.


2409 According to the report, young males tend to leave school in order to assist with the family herds: about 40 percent of students at the secondary level are males, whereas only 20 percent at the tertiary level are males. Asian Development Bank, Country Assistance Plans- Mongolia, Section I.C.1, “Gender Issues,” item 19.

Child Labor Laws and Enforcement

Article 109 of the Labor Law sets the minimum age of employment at 16 years, although children aged 15 may work with the permission of a parent or guardian. Children aged 14 may be engaged in vocational training or employment with the permission of both the parent or guardian and MOSWL. The Labor Law prohibits minors from being required to work overtime, on holidays or on weekends, and limits the hours of legal employment based on the age of the minor. In 1999, the government developed a list of prohibited hazardous employment activities for minors. The Criminal Code of Mongolia was revised in January 2002 to prohibit trafficking in persons and forced child labor. Trafficking of children incurs a 10 to 15 year prison term, and violation of forced child labor provisions are punishable by a fine or up to four years imprisonment. The Criminal Code also prohibits prostitution below the age of 16, and penalties apply to organizers, customers and providers of prostitution. Penalties range from monetary fines to imprisonment for up to five years. The production and dissemination of pornographic materials involving children is also illegal under the Criminal Code, with imprisonment of up to two years or correctional work for a maximum of one and a half years, or a monetary fine.

The State Labor and Social Welfare Inspection Agency under MOSWL is responsible for enforcing child labor laws, and recently began collecting data on children engaged in hazardous work. However, labor inspectors rarely inspect medium and small enterprises. In November 2000, the U.S. Customs Service issued a detaining order against clothing manufactured by a foreign-owned factory in Mongolia, alleging that the factory had used forced child labor in the manufacture of its products. The detention order was revoked in July 2001.

2411 Children aged 14 and 15 may not work more than 30 hours, and children aged 16 and 17 may not work more than 36 hours per week. Article 141.1.6 assesses the penalty for violation of child labor laws at between 15,000 and 30,000 tugriks (USD 14 to 27). Government of Mongolia, Labor Law, (Ulaan Baatar: “Bit Service” Co., Ltd., with permission of the Ministry of Justice, May 5, 1999), Articles 71, 109-110, and 141. For currency conversion, see FX Converter, [cited August 30, 2002]; available from http://www.carosta.de/frames/convert.htm.


2415 ILO-IPEC, National Program in Mongolia, Phase II, project document, 28-29.

2416 The order was issued pursuant to U.S. law (19 U.S.C. 1307) after a determination that the factory manufactured textiles using forced labor. Factory working conditions were allegedly substandard, and management was failing to pay overtime correctly. U.S. Customs, U.S. Customs Commissioner Issues Detention Order on Clothing Produced in Mongolia with Forced Child Labor, press release, Washington, D.C., November 28, 2000, [cited August 30, 2002]; available from www.customs.gov/hot-new/pressrel/2000/1128-00.htm.

Mongolia has not ratified ILO Convention 138, but ratified ILO Convention 182 on February 26, 2001.\textsuperscript{2418}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Morocco became a member of ILO-IPEC in 2000. The government launched its first program with ILO-IPEC in July 2001. During that same year, ILO-IPEC identified a number of child labor projects to be implemented by local NGOs.

In October 1999, the Government of Morocco established national and sectoral action plans to combat child labor, especially its worst forms. The national plan focuses on improving implementation and raising awareness of child labor laws, and improving basic education. Sectoral plans target children in agriculture and herding, the industrial sector (carpets and stitching), metal and auto work, construction, hotel work, tourism, and food production, as well as children working in informal, domestic and other services. The plan is based on a sample survey of working children in Morocco. King Mohammed VI is highly supportive of efforts to combat child labor and promote education. In 2000, the government began a pilot program focusing on girls who work as domestic servants to provide them with education, health care and recreation. Another program in Casablanca established five centers to provide educational, health care and recreational services to girls identified as child maids. Between February 1998 and April 2001, the Ministry of Labor held awareness-raising campaigns with labor and safety and health inspectors. In April 2001, inspectors began their own child labor awareness raising and training sessions for employers.

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2420 U.S. Embassy- Casablanca, unclassified telegram no. 1830, October 2002.
2422 U.S. Consulate- Casablanca, unclassified telegram no. 1157, October 2001. See also Kingdom of Morocco, Plans national et sectoriels d’action de la lutte contre le travail des enfants au Maroc, October 1999.
2423 Kingdom of Morocco, Plans national et sectoriels d’action, 5-6.
2424 Ibid., 10-35.
2427 U.S. Consulate- Casablanca, unclassified telegram no. 1157.
2428 Ibid.
2429 U.S. Embassy- Casablanca, unclassified telegram no. 1830.
2430 U.S. Consulate- Casablanca, unclassified telegram no. 1157.
The government also works with the National Observatory for Children’s Rights, whose president is Princess Lalla Meryem. The Observatory has set up a children’s parliament to enable children to express their views on their situations and problems. In May 2002, the Observatory participated in a round table with the Inter-Parliamentary Union and ILO-IPEC that produced a manual to raise awareness among parliamentarians of ILO Convention 182 and the worst forms of child labor.

The Ministry of National Education (MEN) and the Ministry of Labor continue to work with international organizations and local partners to increase school attendance. MEN has targeted 100 percent school enrollment at the primary level for the 2002-2003 school year. In cooperation with the Ministry of Health and with the support of UNICEF, MEN also is pursuing a strategy to ensure basic education and healthcare for child workers. In September 2000, authorities in the city of Fez began a program to open four centers for the protection of child handicraft workers, where children’s rights education is provided to child workers, their families and employers. The government has also supported two other important initiatives; it hosted the Arab African Forum against the Sexual Exploitation of Children and supported a national campaign by a local NGO, UNICEF and other donors against the employment of child maids and the promotion of education for all children.

The government has taken steps to improve the quality of primary education by reforming the curriculum, training and hiring more teachers, and assigning teachers to their hometowns to reduce absenteeism. MEN is implementing a World Bank-funded program to strengthen institutional capacity, improve teaching quality and build or rehabilitate rural schools. Yet the teacher-
student ratio is still high with 52.5 students per class in urban schools and 38.2 in rural schools.\textsuperscript{2440} MEN also runs programs for out-of-school children under its Non-Formal Education Program.\textsuperscript{2441} MEN contracts with over 40 local NGOs to provide non-formal education.\textsuperscript{2442} In 1996, public expenditure on education represented 5 percent of GNP and 25 percent of total government expenditures.\textsuperscript{2443}

**Incidence and Nature of Child Labor**

In 1999, the ILO estimated that 5.5 percent of children ages 7 to 14 years in Morocco were working.\textsuperscript{2444} The majority of child labor is found in the agricultural sector.\textsuperscript{2445} Boys and girls work as shepherds and are paid with cash or in kind.\textsuperscript{2446} Children also work as weavers in the carpet industry; in small family-run workshops that produce ceramics, woodwork, and leather goods; and as mechanics, porters, tourist guides, street vendors, and beggars.\textsuperscript{2447} Many children

\textsuperscript{2440} U.S. Embassy- Casablanca, unclassified telegram no. 1830.


\textsuperscript{2445} U.S. Consulate- Casablanca, unclassified telegram no. 1157. A Ministry of Finance and Planning labor force study by the Statistics Directorate concluded that nearly nine out of ten child workers are found in rural areas, and 84 percent of these are engaged in farm work. See U.S. Embassy- Casablanca, unclassified telegram no. 1830.


work as apprentices before they reach 12 years of age, particularly in the informal handicraft industry, where they traditionally are not considered workers but trainees learning a skill or trade.\textsuperscript{2448}

In urban areas, girls can be found working as domestic servants, often in situations of unregulated “adoptive servitude”\textsuperscript{2449} whereby girls, often from rural areas, are trafficked, “sold” by their parents, or offered by orphanages and “adopted” by wealthy urban families to work in their homes.\textsuperscript{2450} In urban areas, teenagers are reported to engage in prostitution.\textsuperscript{2451} A recent study on street children also found that they engage in diverse forms of work including selling cigarettes, begging, shining shoes, and other miscellaneous occupations.\textsuperscript{2452}

Education is compulsory for six years, or between the ages of 7 and 13.\textsuperscript{2453} Primary education is free.\textsuperscript{2454} The government does not enforce the compulsory education law\textsuperscript{2455} however, and an estimated 80 percent of working children are not in school.\textsuperscript{2456} In 1998, the gross primary enrollment rate was 97 percent, and the net primary enrollment rate was 79.5 percent.\textsuperscript{2457}

\textsuperscript{2448} A study of the artisan sector in the city of Fez found that 45 percent of workers were less than 15 years of age, as cited in U.S. Consulate- Casablanca, unclassified telegram no. 1157. See also U.S. Department of State, \textit{Country Reports on Human Rights Practices- 2000: Morocco}, Section 6d. See also International Working Washington File Group on Child Labour, \textit{Forgotten on the Pyjama Trail}, 15. See also U.S. Embassy- Casablanca, unclassified telegram no. 1830.


\textsuperscript{2450} U.S. Consulate- Casablanca, unclassified telegram no. 1157. See also U.S. Department of State, \textit{Country Reports on Human Rights Practices- 2000: Morocco}, Section 5. See also U.S. Department of State, \textit{Trafficking in Persons Report- 2001: Morocco}, Washington, D.C., July 2001; available from http://www.state.gov/g/tip/rls/tiprpt/2001/3928.htm. It is estimated that 45.4 percent of household employees under the age of 18 are ages 10 to 12, and 26.4 percent are under the age of 10. See U.S. Department of State, \textit{Country Reports- 2001: Morocco}, 2219-22, Section 5. Over 80% of child maids are illiterate and from rural areas. A 2000 study by the Ministry of Planning funded by UNICEF estimates that there are approximately 13,000 girls under age 15 working as maids in Casablanca, while another put the total at 20,000 in other Moroccan major cities. See U.S. Department of State, \textit{Country Reports- 2001: Morocco}, 2222-26, Section 6d. UNICEF estimates the average age of all child maids was less than 11 years old and work on average 67 hours per week. See U.S. Embassy- Casablanca, unclassified telegram no. 1830.


\textsuperscript{2452} Kingdom of Morocco, Ministry in Charge of the Condition of Women, the Protection of the Family, Childhood, and the Integration of the Handicapped, \textit{Synthèse d’une étude préliminaire sur les enfants de la rue}, Rabat, October 2001.


\textsuperscript{2454} U.S. Consulate- Casablanca, unclassified telegram no. 1157.

\textsuperscript{2455} U.S. Department of State, \textit{Country Reports- 2001: Morocco}, 2219-22, Section 5. See also U.S. Embassy- Casablanca, unclassified telegram no. 1830.

\textsuperscript{2456} Kingdom of Morocco, \textit{Plans national et sectoriels d’action}, 3.

\textsuperscript{2457} In 1998, the gross primary enrollment rate was 106.8 percent for boys and 86.9 percent for girls. The net primary enrollment rate was 85.5 percent for boys and 73.2 percent for girls. See World Bank, \textit{World Development Indicators 2001} [CD-ROM], Washington, D.C., 2001.
Attendance rates are not available for Morocco. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Morocco has low primary school retention rates and high dropout rates, particularly for rural girls who often do not complete primary school. The percentage of students who entered primary school in 1995 and reached grade two was 92 percent, and the percentage that reached grade five was 75 percent. In the 2000-2001 school year, the percentage of children in primary school increased by 4.8 percent.

**Child Labor Laws and Enforcement**

In January 2001, the adoption of ILO Convention 138 led to a change in the minimum age for employment from 12 to 15 years. The minimum age law applies to all sectors and includes apprentices and children who work in family businesses. The minimum age for hazardous and night work is 16 years. A royal decree prohibits forced or compulsory labor, which particularly affects children in “adoptive servitude.”

The Ministry of Labor is responsible for implementing and enforcing child labor laws and regulations. Legal remedies to enforce child labor laws include criminal penalties, civil fines and withdrawal of licenses. However, the small number of labor inspectors and the lack of resources limit the application of these remedies, and they are generally insufficient to punish and deter violators. In May 2000, participants at a colloquium on legal protection for female workers urged the government to institute stronger legal measures to sanction employers who hire

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2458 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

2459 U.S. Embassy- Casablanca, unclassified telegram no. 1830.


2464 Ibid.

2465 Ibid., 2222-26, Section 6c. Adoptive servitude is difficult to monitor because it falls outside the jurisdiction of the Ministry of Labor. Courts can take action once two witnesses file a complaint, but few employers of child maids have been prosecuted. See U.S. Embassy- Casablanca, unclassified telegram no. 1830.

2466 U.S. Consulate- Casablanca, unclassified telegram no. 1157. See also U.S. Department of State, *Country Reports- 2001: Morocco*, 2222-26, Section 6d.

2467 U.S. Consulate- Casablanca, unclassified telegram no. 1157.
children for domestic labor at the ages of compulsory school attendance.\textsuperscript{2468} In March 2002 at the invitation of the Moroccan Parliament, participants at a meeting of the Inter-Parliamentary Union in Marrakech received guidance on tools that parliamentarians and legislators can use to implement at a local level principles contained in international legislation on child labor.\textsuperscript{2469}

The Government of Morocco ratified ILO Convention 138 on January 6, 2000 and ILO Convention 182 on January 26, 2001.\textsuperscript{2470}


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1999, the Government of Mozambique began working with UNICEF to implement a rapid assessment survey of child labor. Following the completion of the survey, the Ministry of Labor worked with UNICEF to develop a Draft Strategy for the Eradication of Child Labor.\textsuperscript{2471} The government is collaborating with UNICEF and ILO-IPEC to implement a plan of action developed at a national child labor conference held in July 2001. The plan calls for the prevention of child labor, and the protection and rehabilitation of child workers.\textsuperscript{2472} In 2002, the government sponsored a “Child Parliament,” during which children had the opportunity to express their views on problems affecting them and to propose solutions.\textsuperscript{2473}

Since 1997, the government has worked on a campaign against child prostitution and sexual abuse, including such activities as disseminating pamphlets and flyers and issuing public service announcements.\textsuperscript{2474} The government has trained the police about child prostitution and pornography and initiated a rehabilitation program for children in prostitution by providing education referrals and training opportunities.\textsuperscript{2475} In June 2000, the Ministry of Women and Social Action launched a campaign against the sexual exploitation of children and is educating hotel employees about child prostitution.\textsuperscript{2476}

The government has established a scholarship program to cover the costs of school materials and fees for children, with a focus on the needs of girls. In addition, the government has established a Poverty Reduction Strategy for 2001-2005, which includes a component on investment in education.\textsuperscript{2477} The government also is working with international donors to expand the primary school network.\textsuperscript{2478}


\textsuperscript{2472} U.S. Embassy- Maputo, \textit{unclassified telegram no. 2817}.


\textsuperscript{2474} U.S. Embassy- Maputo, \textit{unclassified telegram no. 2817}.

\textsuperscript{2475} Ibid.


\textsuperscript{2477} Statement at UN Special Session on Children.

\textsuperscript{2478} U.S. Embassy- Maputo, \textit{unclassified telegram no. 2817}.
Incidence and Nature of Child Labor

In 1999, the ILO estimated that 32.7 percent of children ages 10 to 14 years in Mozambique were working. A rapid assessment child labor survey of children under 18 conducted by the Ministry of Labor and UNICEF estimated that approximately 50 percent of children begin working before the age of 12.

Children work in the informal sector on family farms, in factories, forestry, and small-scale mining. There are also reports of the growing incidence of children working in construction. In urban areas children wash and guard cars, collect scrap metal, hawk food and other goods on streets, and beg. In rural areas, they work on commercial farms alongside their parents or as independent workers, often picking cotton or tea. Children, mostly girls, also work as domestic servants. In some cases, children are forced to work in order to settle family debts. There are reports by child advocates that a small number of children are trafficked to South Africa and Swaziland for prostitution, however there have been no confirmed cases. The number of children in prostitution is growing in both urban and rural regions such as the Maputo,

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2480 Government of Mozambique, Labor, and UNICEF, *Child Labour Rapid Assessment: Mozambique (Part I)*, 36. UNICEF now expects that the effects of two years of heavy rains and flooding in 2000 and 2001, followed by the current severe drought and food insecurity affecting the Southern Africa region, will lead to decreased school enrolment and attendance and increased child labor as the demands upon household income and time for water collection/food scavenging increase. See UNICEF, *Situation Up-date: Mozambique*, May 10, 2002.
2487 Ibid., 479-82, Section 6f. The League of Human Rights in Mozambique has been investigating a 2000 case involving the trafficking of a 17-year old girl. See U.S. Department of State, *Country Reports- 2001: Mozambique*, 475-79, Section 5. She was held for two months in South Africa and may have been sexually abused. See U.S. Department of State, *Country Reports- 2001: Mozambique*, 479-82, Section 6f.
Beira and Nacala areas. Many children victims of commercial sexual exploitation have been infected with HIV/AIDS.

Education is compulsory and free through the age of 12, but there is a matriculation fee for each child, and children are responsible for purchasing books and school supplies. Enforcement of compulsory education laws is inconsistent, because of the lack of resources and the lack of schools in the upper grades. In 1999, the gross primary enrollment rate was 75.6 percent, and the net primary enrollment rate was 43.6 percent. In 1995, 86 percent of students who entered primary school reached grade two, and 46 percent reached grade five. Girls have lower enrollment rates and higher dropout rates than boys, although in 1999 the drop out rate for boys exceeded that of girls. Floods in February and March 2000 destroyed a number of schools, and other schools were converted into emergency shelters. The Ministry of Education reported that more than 105,000 primary school students have been prevented from attending classes as a result of the floods. More recently, drought conditions have placed pressure on families to withdraw children from school in order to save money for food.

Child Labor Laws and Enforcement

Law 8/98 sets the minimum age for employment at 15 years, but in exceptional cases, allows for children under 15 to work with the joint approval of the Ministries of Labor, Health, and Education. It sets restricted conditions on the work minors between the ages of 15 and 18 may perform, limits the number of hours they can work, and establishes training, education, and medical


2490 U.S. Embassy- Maputo, unclassified telegram no. 2817.

2491 Ibid.


2494 In 1999, the gross primary enrollment rate was 86.3 percent for boys and 64.8 percent for girls, and the net primary enrollment rate was 47.4 percent for boys and 39.8 percent for girls. Ninety percent of boys who entered primary school in 1995 reached grade two, and 52 percent reached grade five. The rates for girls were 79 and 39 percent, respectively. See World Bank, World Development Indicators 2002. See also UNESCO, World Education Report 2000, 144.


2497 UNICEF, Situation Up-date: Mozambique.

2498 U.S. Embassy- Maputo, unclassified telegram no. 2817. See also U.S. Department of State, Country Reports- 2001: Mozambique, 479-82, Section 6d.
Children between the ages of 15 and 18 are prohibited from being employed in unhealthy or dangerous occupations or occupations requiring significant physical effort, as determined by the Ministry of Labor. The Constitution prohibits forced labor, except in the context of penal law, and there were no reports of such practices in the formal economy. Yet it is reported that in rural areas children are forced to work to settle debts or other disputes.

Offering or procuring of prostitution and pornography of any form, including that of children, are illegal under the Penal Code. In May 1999, the National Assembly passed a law prohibiting the access of minors to bars and clubs in an effort to address the problem of children prostitution. Some provisions of the Penal Code can also help protect minors against exploitation, incitement, or compulsion to engage in illegal sexual practices. The age for conscription and voluntary recruitment into the military is 18 years. In times of war, however, the minimum age for military conscription may be changed.

The Ministry of Labor has the authority to enforce and regulate child labor laws in both the formal and informal sectors. Labor inspectors may obtain court orders and use the police to enforce compliance with child labor legislation. There has not been any specialized training for labor inspectors on child labor. The police are responsible for investigating complaints relating to child labor offences punishable under the Penal Code. The Labor Inspectorate at the Ministry of Labor is responsible for investigating complaints about violations of child labor laws; however, the Labor Inspectorate and police lack adequate staff, funds and training to investigate child labor.

2499 U.S. Embassy- Maputo, unclassified telegram no. 2817. See also U.S. Department of State, Country Reports- 2001: Mozambique, 479-82, Section 6d.
2500 U.S. Embassy- Maputo, unclassified telegram no. 2817.
2503 Ibid.
2509 U.S. Embassy- Maputo, unclassified telegram no. 2817. See also U.S. Department of State, Country Reports- 2001: Mozambique, 479-82, Section 6d.
2510 U.S. Embassy- Maputo, unclassified telegram no. 2817.
2511 Ibid.
cases, especially in areas outside the capital.\textsuperscript{2512} In theory, violators of child labor laws would be subject to fines ranging from one to 10 times the minimum wage.\textsuperscript{2513}

The Government of Mozambique has not ratified ILO Conventions 138 or 182.\textsuperscript{2514}

\textsuperscript{2512} U.S. Department of State, \textit{Country Reports- 2001: Mozambique}, 479-82, Section 6d.

\textsuperscript{2513} U.S. Embassy- Maputo, \textit{unclassified telegram no. 2817}.

**Namibia**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Namibia collaborated with ILO-IPEC and UNICEF on a national child labor survey in 1999. The tripartite Labor Advisory Council, comprised of government, union and private sector representatives, sponsored a series of awareness-raising workshops in 2001 for employers on child labor regulations. Police and immigration officials have received training in combating trafficking in persons. The Ministry of Health and Social Services is running a Street Children Program that seeks to place street children in shelters and register their parents in income-generating programs.

The Ministry of Basic Education, Sport and Culture is building and renovating school facilities, and working to improve access to basic education for children from marginalized groups. Specific efforts include the creation of community-based curricula, mobile schools and school meal programs.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 17.4 percent of children ages 10 to 14 years in Namibia were working. Approximately 95.4 percent of working children live in rural areas, with 77.8 percent working in agriculture, hunting and forestry. Children in Namibia also work in trading, basket weaving, beer making, barbering, herding, and selling firewood. During the war in Angola


2517 Ibid., 494-96, Section 6f.


2522 Ibid., 4. 84.4 percent of children worked on family farms or in their own home. Government of the Republic of Namibia, *Namibia Child Activities Survey 1999*, 58.
from 1975 to 2002, there were reports that children were reportedly recruited children by Angolan armed forces from Northern Namibia to fight in Angola against rebel forces.\footnote{U.S. Department of State, \textit{Country Reports- 2001: Namibia}, 492-94, Section 5.}

Education is compulsory in Namibia. Children are required to be in school until they complete their primary education or until the age of 16.\footnote{\textit{Constitution of the Republic of Namibia, 1990}, (February 1990), Article 20 [cited August 29, 2002]; available from http://www.uni-wuerzburg.de/law/wa00000_.html.} Although the Constitution mandates that primary education shall be free, in practice there are numerous fees for such items as uniforms, books and school improvements.\footnote{U.S. Department of State, \textit{Country Reports- 2001: Namibia}, 492-94, Section 5. See also \textit{Constitution of the Republic of Namibia, 1990}, Article 20.} In 1998, the gross primary enrollment rate was 126.1 percent, and the net primary enrollment rate was 86.3 percent.\footnote{World Bank, \textit{World Development Indicators 2002}. A study conducted for the Ministry of Health and Social Services estimated that there are 82,667 orphans, representing 20 percent of all Namibian children aged 17 and younger. As a consequence of the HIV-AIDS epidemic, government policymakers face a budgetary choice between training replacement teachers or using those resources to assist HIV-AIDS affected children to pay school fees. See U.S. Embassy- Windhoek, \textit{unclassified telegram no. 0315}, April 2002.} Attendance rates for Namibia are not available. While enrollment rates reflect a level of commitment to education, they do not always reflect children’s participation in school.\footnote{For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.}

**Child Labor Laws and Enforcement**

The Labor Act sets the minimum age for employment at 14 years, prohibits the employment of children under the age of 15 in any mine or industrial setting, and prohibits children under the age of 16 from working underground.\footnote{Government of the Republic of Namibia, \textit{Labour Act 1992}, Section 42, cited in Government of the Republic of Namibia, \textit{Namibia Child Activities Survey 1999}, 8.} The Constitution provides that children under 16 are entitled to be protected from economic exploitation and are not to be employed or required to perform work that is likely to be hazardous, harmful to their health or physical, mental, spiritual, moral, or social development, or to interfere with their education.\footnote{\textit{Constitution of the Republic of Namibia, 1990}, Article 15.} The Constitution also prohibits slavery and forced labor.\footnote{Ibid., Article 9. There have been reports, however, of children working as farm laborers without adequate compensation. See U.S. Department of State, \textit{Country Reports- 2001: Namibia}, 494-96, Section 6d.}
The Ministry of Labor is responsible for enforcing the Labor Act. The ministry has limited resources and its 24 inspectors are not trained specifically in child labor issues. Labor inspectors have experienced difficulties inspecting family-owned, commercial farms to investigate child labor.


2531 ILO, The Effective Abolition of Child Labour, 322.


Nepal

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Nepal has been a member of ILO-IPEC since 1995. A national child labor survey was conducted in 1996 with technical assistance from ILO-IPEC. A follow-up national child labor survey for 2003 is also being planned by the government with technical assistance from ILO-IPEC’s SIMPOC. Since 1999, Nepal has been part of a three-country Asia sub-regional project to combat trafficking. In 2001, five rapid assessments on various areas of child labor were undertaken and completed. Also in 2001, with funding from USDOL, Nepal became one of three countries to launch a comprehensive ILO-IPEC Timebound Program. The government has also taken action to rescue and rehabilitate recently freed bonded laborers and has established a

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2535 ILO-IPEC estimates that almost 12,000 working children and their families have benefited from more than 100 ILO-IPEC child labor programs in four specific areas: policy formulation by government and NGOs; direct intervention programs with child workers; awareness raising and community mobilization; and legislation and enforcement. See ILO-IPEC, IPEC Country Profile: Nepal, Geneva, 2001, 1-2 [cited September 6, 2002]; available from http://www.ilo.org/public/english/standards/ipec/timebound/nepal.pdf.


2537 ILO-IPEC, South Asian Sub-Regional Programme to combat the trafficking of children for exploitative employment in Bangladesh, Nepal and Sri Lanka, project document, RAS/00/05/010, Geneva, February 2000. A phase two of this project began in October 2002.

2538 These assessments were funded by USDOL with technical assistance from ILO-IPEC’s SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. Themes include trafficking of girls, child rag pickers, domestic child laborers in Kathmandu, bonded child labor, and child porters. To view the rapid assessments, see ILO-IPEC, Child Labor Statistics: Rapid Assessments, [online] August 2002 [cited September 26, 2002]; available from http://www.ilo.org/public/english/standards/ipec/simpoc/ra/index.htm.


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The Committee is chaired by the District Development Committee and members include representatives from offices of the police, education, administration, forest, land reforms, labor, welfare, agricultural development, banking, and trade unions, as well as peasant organizations, NGOs and a freed Kamaiya laborer. See Government of Nepal, *The Kamaiya Labor (Prohibition) Act*, (2002). In 2000, USDOL funded a project through ILO-IPEC to support former child bonded laborers and their families. ILO-IPEC, *Sustainable Elimination of Bonded Labor in Nepal*, project document, NEP/00/P51/USA, Geneva, December 2000. The Kamaiya system, now outlawed, is one form of bonded labor concentrated in five Terai districts: Kanchanpurr, Kailali, Bardiya, Banke, and Dang. However, other bonded labor practices exist in other areas of Nepal. See ILO-IPEC, *Bonded Labor in Nepal, project document*, 3. See also ILO-IPEC, *Working for Nepalese Children*, 5.


In addition, there are 240 local NGOs registered throughout the country with the objective of child development, with several hundred groups community-based organizations, research and media groups working to eliminate child labor. The 29 child labor related programs contain some 400 to 500 projects. See ILO-IPEC, *Working for Nepalese Children*, 3, 5 and 7.

The Basic and Primary Education Project has been underway since 1993 and aims to improve quality, access and retention of students, and institutional capacity. The Primary Education Development Project has been underway since 1992 and aims to prepare new primary school teachers and construct schools. Under the Ninth Plan (1997-2002), the government envisions compulsory primary education as a strategy to achieve universal access to education.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 42.1 percent of children ages 10 to 14 years in Nepal were working. The majority of working children participate in family-based subsistence agriculture, while a small percentage work in manufacturing facilities. According to ILO-IPEC, more than 80 percent of working children do not receive wages. They often work under exploitative and hazardous conditions. An estimated 5,000 children are living on the streets throughout the country. Statistics on trafficking victims vary widely, with one local NGO estimating that over 200,000 Nepalese girls are residing in Indian brothels. The government reports a finding that more than 20 percent of sex workers in Nepal are under 16 years, with some as young as 11 years old. In 2001, a local NGO recorded 265 cases of girl trafficking, of which 34 percent were below 16 years of age. While trafficking of children often leads to their sexual exploitation,
there is also demand for trafficked boys and girls to work in the informal labor sector.\textsuperscript{2556} There are reports that Maoist insurgents use children as soldiers, shields, runners, and messengers.\textsuperscript{2557}

Although education is not compulsory, the government provides free primary education for all children between the ages of 6 and 12.\textsuperscript{2558} Still, public primary schools commonly charge non-tuition fees to offset their expenses,\textsuperscript{2559} and families frequently do not have the money to pay for school supplies and clothing.\textsuperscript{2560} In 1997, the gross primary enrollment rate was 122.1 percent, and the net primary enrollment rate was 69.6 percent.\textsuperscript{2561} Attendance rates are not available for Nepal. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2562}

\textbf{Child Labor Laws and Enforcement}

The Labour Act of 1999 and the Children’s Act of 1992 set the minimum age for employment at 14 years.\textsuperscript{2563} The Child Labour Prohibition and Regulation Act of 2000 consolidates child labor provisions in the Labour and Children’s Acts and lists different occupations in which children below 16 years cannot be employed, calls for penalties for those who do not comply, and calls for establishment of a Child Labor Elimination Committee and Child Labour Elimination Fund.\textsuperscript{2564} On July 17, 2000, the Government of Nepal made a landmark decision to outlaw the Kamaiya system, one form of bonded labor.\textsuperscript{2565} The Constitution of Nepal (Article 20) prohibits the employment of

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\textsuperscript{2557} In 1996, the leaders of the Maoist United People’s Front launched a “People’s War” against the government, with continued violence in more than 50 of the country’s 75 districts. U.S. Department of State, \textit{Country Report- 2001: Nepal}, 2465-66, 82-85, Introduction and Section 6d.
\textsuperscript{2558} Ibid., 2479-82, Section 5.
\textsuperscript{2559} ILO-IPEC, \textit{Bonded Labor in Nepal}, project document, 1.
\textsuperscript{2562} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\textsuperscript{2564} Ministry of Labour and Transport Management, \textit{National Master Plan on Child Labour}, 8. The Child Labour Prohibition and Regulation Act defines children as any 16 years old and younger, and permits the employment of children 14 years and older. Children can work up to 6 hours a day and 36 hours a week, between 6 am and 6 pm. See Government of Nepal, \textit{Child Labour (Prohibition and Regulation) Act (No. 14),} (2000), [cited December 16, 2002]; available from http://natlex.ilo.org/txt/E00NPL01.htm.

minors in factories, mines or other hazardous work. Section 55 of the Labor Act allows for fines (ranging from about USD 13 to 65) to be levied against employers in violation of labor or child labor laws. The Human Trafficking Control Act of 1986 is the current anti-trafficking legislation.

Despite these legal protections, resources devoted to enforcement are limited and the Ministry of Labor has a mixed record in this area. The Ministry of Labor and Transport Management’s Child Labor Section is responsible for enforcing child labor issues, and labor offices are responsible for enforcement. The Central Child Welfare Board and District Child Welfare Officers have the responsibility of enforcing child rights legislation.

As a member state of the South Asian Association for Regional Cooperation, Nepal signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002.


2568 The Act prohibits the selling of a human being for any purpose, taking a person to foreign territory with intent to sell that person, involving any woman in prostitution, or assisting in carrying out any of these acts. However, the Act is flawed in that it does not criminalize the separation of a minor from his or her legal guardian with the intent of trafficking the minor. No crime occurs until the victim and the perpetrator are out of Nepalese jurisdiction. See U.S. Embassy-Kathmandu, unclassified telegram no. 537, March 2002.


2570 See Ministry of Labour and Transport Management, National Master Plan on Child Labour, 8.

2571 See Ibid.

2572 Under this convention, the governments commit themselves to regional cooperation to address various aspects of prevention and criminalization of the trafficking of women and children for commercial sexual exploitation, and repatriation and rehabilitation of victims of trafficking. Each member state government has yet to ratify the convention. See South Asian Association for Regional Cooperation Secretariat, Eleventh SAARC Summit held in Kathmandu, press release, January 9, 2002, [cited December 16, 2002]; available from http://www.saarc-sec.org/.

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Nicaragua has been a member of ILO-IPEC since 1996. ILO-IPEC is currently working with the Ministry of Labor on several USDOL-funded projects to eliminate child labor. One of these projects targets children working in garbage dumps; another addresses the problem of children in commercial sexual exploitation; a third project targets children working in coffee farms in the rural areas of Matagalpa and Jinotega; and a fourth aims to eliminate child labor in farming and stockbreeding in the Department of Chontales. The Ministry of Labor, with technical assistance from ILO-IPEC’s SIMPOC and funding from USDOL, has nearly completed a national child labor survey. Other ILO-IPEC projects in which the Government of Nicaragua is participating include action programs in the mining, tobacco and domestic service sectors.

The First Lady has created several commissions on children’s issues and has served as the head of the National Commission for the Protection of Children and the National Commission for the Eradication of Child Labor. Through the National Commission for the Eradication of Child

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2575 ILO-IPEC, Elimination of Child Labor in the dump yard of Managua, Acahualinca’s Neighborhood “La Chureca” (Phase I), technical progress report, no. 1, NIC/00/50P/USA, March 11, 2002, 1.

2576 Though this regional project focuses primarily on regional coordination, awareness raising, institutional capacity building, and national coordination, in Nicaragua, this project will target 200 girls in Managua for direct services, such as education, social services and health care. ILO-IPEC, “Stop the Exploitation” (“Alto a la explotacion”) Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic, project document, RLA/02/P51/USA, June 30, 2002. Prior to the regional commercial sexual exploitation project, ILO/IPEC implemented a child prostitution project in Leon, which was completed in March 2001. See ILO-IPEC, Elimination of Child Labor and the Risk of Sexual Exploitation of Girls and Teenagers in the Bus Station in the Municipality of Leon (Phase I), technical progress report, no. 1, 090.73.204.064, March 8, 2001.


2580 ILO-IPEC official, electronic communication to USDOL official, September 22, 2002. See also ILO-IPEC official, electronic communication to USDOL official, September 10, 2002.

Labor, the Government of Nicaragua, in collaboration with international organizations, NGOs and the private sector, has developed a strategic plan for addressing child labor in the country.\(^{2582}\) Actions to facilitate the implementation of the plan include requesting technical assistance from ILO to quantify child labor annually, approving reforms to the Labor Code (which would eliminate certain exceptions for child workers under the age of 14) and including a decree containing a list of hazardous work identified in Nicaragua.\(^{2583}\) The Ministry of Family also sponsors programs for working children including childcare services, return-to-school programs and technical and vocational training.\(^{2584}\) In response to concerns about increases in child prostitution, a National Forum against the Sexual and Commercial Exploitation of Children and Adolescents was established in 1999 to raise awareness and advocate for children’s rights. However, it failed to take action during 2001.\(^{2585}\)

In 2000, the Ministry of Education, Sport and Culture announced a 15-year National Education Plan.\(^{2586}\) In February 2002, the Government of Nicaragua and representatives from local and international NGOs launched a UNICEF-sponsored project to promote the rights of children, emphasizing a child’s right to education and freedom from labor exploitation.\(^{2587}\)


\(^{2586}\) The plan outlines strategies for general improvements to the quality of education as well as strategies for making education more equitable among social classes, genders, and education levels. Strategies include an extension of early education programs, school based nutrition and health programs, adult literacy programs, as well as technical training and non-formal education. See The Ministry of Education, Sport, and Culture, *Plan Nacional de Educación*, Managua, 2000, [cited December 16, 2002]; available from http://www.mecd.gob.ni/plannac.asp.

organizations and donors have also supported education projects in Nicaragua. The European Union and USAID support primary education; USAID has made funds available for education reform. The World Bank’s Basic Education Program sponsored a grant for nearly 4.7 million textbooks and 4.3 million workbooks for primary schools in Nicaragua in 1999 and also has plans to provide a low interest loan to fund a scholarship program, teacher training, school libraries, nursery schools, and building renovations. The Civil Voluntary Group of Italy also announced plans to assist working children in Nicaragua by providing school materials and training in capacity building.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 12 percent of children ages 10 to 14 years in Nicaragua were working. Children work in the production of export crops such as coffee, bananas, tobacco, and sugar, as well as in fishing and stockbreeding. Some children are forced by their parents to work as beggars and vendors, and some are “rented” by their parents to organized groups of beggars. Children in several areas of the country are involved in the trafficking of drugs. The Ministry of Labor survey also reported that at least 1 percent of working children are paying off debts and live in a highly vulnerable situation. Child prostitution has increased in Nicaragua, particularly in Managua, port cities, rural areas, along the Honduran and Costa Rican borders, and along highways. There have been reports that children from Nicaragua have been trafficked to Mexico and Guatemala for the purpose of prostitution. However, these reports are unconfirmed.

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2590 Initially, the program will focus on Bilwi and Waspam and then later extend to the mining sector. UNWire, *Nicaragua: UNICEF-Funded Program Launched to Promote Child Rights*.


Education is free and compulsory through the sixth grade (age 12) in Nicaragua; however, this provision is not enforced. The Committee on the Rights of the Child has expressed concerns about the gap between the age at which compulsory education ends and the minimum legal work age. The Committee has recommended that the government increase the number of years of compulsory education from six to nine years. In 1997, the gross primary enrollment rate was 101.7 percent, and the net primary enrollment rate was 77.3 percent. The gross and net attendance rates for 1997-1998 were 105.1 and 73.1 percent respectively. A constitutional provision known as the 6 percent rule automatically allocates 6 percent of the annual budget to a higher education consortium, often at the expense of primary and secondary education.

Child Labor Laws and Enforcement

The Labor Code of 1996 sets the minimum age for employment at 14 years. Under the Labor Code, children ages 14 to 17 cannot work for over 6 hours a day or 30 hours a week. Children under the age of 18 are prohibited from work that endangers their health and safety, such as work in mines, garbage dumps and night entertainment venues. The Labor Code prohibits any employment of children that could adversely affect normal childhood development or interfere with schooling. The Constitution prohibits slavery and servitude and provides protection from any type of economic or social exploitation.


2600 World Bank, World Development Indicators 2002.

2601 USAID, Demographic Health Survey 2002.


2604 Ibid., Article 134.

2605 Ibid., Article 133.

2606 Ibid., Article 132.

2607 Constitución de Nicaragua, Article 4, 40. See also UN Committee on the Rights of the Child, Concluding Observations.
The Penal Code prohibits individuals from promoting or engaging in the prostitution of children.\footnote{2608} In addition, Article 69 of the Children and Adolescents’ Code forbids any person from promoting, filming or selling child pornography.\footnote{2609}

The Ministry of Labor has an office that responds to complaints related to the illegal employment of child workers.\footnote{2610} The ministry conducts periodic child labor inspections and integrated inspections, which include reviews of occupational safety and health, working conditions, wage, and other labor conditions.\footnote{2611} Penalties for violating the rights of child workers include a fine of between C 500 (USD 34.69) and C 5000 (USD 346.88).\footnote{2612} There are 19 labor inspection offices, three in Managua and 16 in the departments. Approximately 84 inspectors oversee child labor in industry, agriculture and other labor sectors.\footnote{2613} The establishment of a new Child Labor Unit within the Ministry of Labor’s Inspector General’s Office in 1999 has resulted in a dramatic increase in the number of child labor inspections conducted by the Unit. While only 14 inspections were conducted in 1998, an average of 560 were conducted each year from 1999 through 2001.\footnote{2614} The recent Labor Ministry survey indicates that violations of the Labor Code are common. The Director of General Labor Inspection estimates that at least 30 more staff are required to monitor areas with high economic activity. However, the institution is currently undergoing severe budget cuts.\footnote{2615}

The Government of Nicaragua ratified ILO Convention No. 138 on November 2, 1981, and ILO Convention No. 182 on November 6, 2000.\footnote{2616}

\footnote{2608} Articles 200 and 201 of the Code provide for a penalty of 4 to 10 years in prison for a person who entices or forces a child under the age of 12 to engage in sexual activities. Individuals who sexually exploit persons between the ages of 12 and 18 years may be sentenced to between 1 and 5 years in prison. U.S. Embassy- Managua, unclassified telegram no. 2462, September 2000.


\footnote{2610} U.S. Embassy- Managua, unclassified telegram no. 3202, October 2001.

\footnote{2611} Ibid.

\footnote{2612} Código del Trabajo, Article 135. For currency conversion see FX Converter, [online] [cited October 3, 2002]; available from http://www.carosta.de/frames/convert.htm.

\footnote{2613} Roberto Fonseca, Child Slavery in Nicaragua.

\footnote{2614} U.S. Embassy- Managua, unclassified telegram no. 3202.

\footnote{2615} Dr. Emilio Noguera, Director of General Labor Inspections notes that 65 percent of child labor takes place in the rural areas that are difficult to access with the office’s current staff and resources. Furthermore, 78 percent of working children ages 5 to 17 are based in the informal sector where labor laws are difficult if not impossible to enforce. See Roberto Fonseca, Child Slavery in Nicaragua.

Niger

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Niger has been a member of ILO-IPEC since 2000. Since that time, ILO-IPEC has launched two projects aimed at ending child labor on grain farms and at the Niamey slaughterhouse, and reintegrating child workers into schools. Two additional ILO-IPEC programs are being planned in Niger that will target street children and children working in gold mines. In January 2002, Government of Niger officials attended a seminar with officials from Burkina Faso, Côte d’Ivoire, Gabon, Mali, Togo, Senegal, and several UN agencies and NGOs to discuss child trafficking and exploitation in West and Central Africa. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.

In order to lay the foundation for the formulation of child labor laws and regulation, the Ministry of Labor of Niger, in conjunction with UNICEF and ILO-IPEC, organized a national workshop in 2001. In 2000, the Minister of Justice formed a commission to investigate the problem of child brides, the Association of Traditional Chiefs signed an agreement with UNICEF to support programs against early marriages and forced child labor, and the Ministry of National Education dedicated an office to promoting girls’ education.

In 1998, ILO-IPEC carried out a survey on working children to provide the basis for action programs against child labor. In 2000, the Justice Minister announced the government’s intent


2618 Five hundred underage workers, half of them girls, are targeted in the grain farm project, and about 350 working minors will be beneficiaries through the slaughterhouse project. See Integrated Regional Information Networks, “Niger: Child Labour Project Launched”, IRINews.org, [online], September 13, [cited November 29, 2001]; available from http://www.irinnews.org/report.asp?ReportID=11374&SelectRegion=West_Africa&SelectCountry=NIGER.


to conduct a study on trafficking as part of a legal modernization effort, and UNICEF is implementing a social policy program that supports government efforts against the worst forms of child labor.

The Government of Niger is also working with various agencies and NGOs to improve its primary education sector. Education is expected to be a cornerstone of the country’s poverty reduction initiative under the IMF’s program for Highly Indebted Poor Countries. In late 2001, the government set aside USD 4.2 million for the purchase of school supplies to promote schooling. UNICEF is also supporting government education efforts through its Basic Education and African Girls’ Education Initiative programs, which aim to improve school enrollment rates, promote literacy and improve the quality of primary education, particularly among girls. The World Food Program is also active in Niger implementing activities to increase enrollment and attendance in primary schools, particularly among girls, through a school canteen program.

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 70.1 percent of children ages 5 to 14 years in Niger were working. Children mainly work on family farms in remote villages gathering water or firewood, pounding grain, tending animals, or working in the fields. Children as young as 6 years old are reported to work on grain farms in the southwest. Children also shine shoes, watch cars, work as apprentices for artisans, tailors and mechanics, perform domestic work, and

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2627 U.S. Embassy- Niamey, *unclassified telegram no. 1645*.


2631 According to the UNICEF survey, 60.9 percent of children ages 5 to 9, and 82.6 percent of children between ages 10 to 14 work. The statistics includes children working only, children working and studying, and children that carry out household chores for more than 4 hours per day. Republic of Niger, *Enquête a indicateurs mulitiples de la fin de la décennie (draft) (MICS2)*, UNICEF, November 2000, [cited November 29, 2001]; available from http://www.ucw-project.org/resources/index.html. In 2000, the ILO estimated that 43.6 percent of children ages 10 to 14 years were working. (This estimate is based on the definition of the economically active population.) See World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.


2633 Integrated Regional Information Networks, “Niger: Child Labour Project Launched”.
work as luggage porters and street beggars.\textsuperscript{2634} Gold mines in Tillabéri and the main slaughterhouse in Niamey also employ children.\textsuperscript{2635}

Niger serves as a transit and destination country for a small number of trafficking victims primarily from Benin, Togo, Nigeria and Ghana.\textsuperscript{2636} Most of these victims end up either in domestic work or prostitution.\textsuperscript{2637} In some ethnic groups, young boys are sent to study the Koran where, in return for their education, they beg in the streets for their teachers.\textsuperscript{2638} Child prostitution is a present and growing problem in Niger, and it sometimes occurs with the permission of family members.\textsuperscript{2639}

Primary education is compulsory for six years.\textsuperscript{2640} In 1998, the gross primary enrollment rate was 30.9 percent, and the net primary enrollment rate was 26.1 percent.\textsuperscript{2641} Primary school attendance rates are also low, particularly for girls.\textsuperscript{2642} In 1998, the gross primary attendance rate was 33.1 percent, and the net primary attendance rate was 26.2 percent.\textsuperscript{2643} About 60 percent of children who finish primary schools are boys, as the majority of girls rarely attend school for more than a few years.\textsuperscript{2644} Girls’ limited access to education can be attributed, in part, to traditional practices such as female genital mutilation, religious beliefs and extreme poverty.\textsuperscript{2645} Children are often forced to work rather than attend school, particularly during planting or harvest periods. In


\textsuperscript{2635} Integrated Regional Information Networks, “Niger: Child Labour Project Launched”.


\textsuperscript{2638} Ibid., 503-07, Sections 5 and 6f.


\textsuperscript{2641} There is significant gender disparity in gross primary enrollment rates between boys (37.7 percent) and girls (24.2 percent). See World Bank, \textit{World Development Indicators} 2002.


\textsuperscript{2643} In 1998, the gross primary attendance rate was 26.8 percent for girls and 39.2 percent for boys, while the net primary attendance rate was 21.1 percent for girls and 31.1 percent for boys. USAID, \textit{Global Education Database 2000} [CD-ROM], Washington, D.C., 2000.

\textsuperscript{2644} The female literacy rate is 8 percent, compared with a rate of 23 percent for men. See U.S. Department of State, \textit{Country Reports- 2001: Niger}, 503-05, Section 5.

addition, nomadic children in northern parts of the country often do not have the opportunity to attend school.  

Among the challenges faced by the Nigerien education system are primary teaching methodologies that date back to pre-independence times, pre-school education that is restricted primarily to urban areas, a reticence by parents to send their children to school due to inefficiencies in the educational system and mediocre results among students, inadequate infrastructure, lack of motivated teachers due to delayed disbursement of salaries, lack of supplies, and an economic crisis that makes it difficult for parents to cover the costs of schooling.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years, although children under 14 may work with special authorization. Children between the ages of 14 and 18 years may not work for more than four and one half hours per day or in industrial jobs. The Labor Code prohibits forced and compulsory labor, except for work by convicted prisoners. Nigerien law does not specifically prohibit child prostitution or trafficking, although the Penal Code criminalizes the procurement of a minor for the purpose of prostitution.


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2647 UN Committee on the Rights of the Child, *Rapports initiaux*, para. 302, 03, 05, 06.


2650 The penalty for procuring a minor is 2 to 5 years imprisonment and a fine of 50,000 to 5,000,000 francs (USD 76 to 7,559). See Government of Niger, *Criminal Code*, Article 292 [cited September 5, 2002]; available from http://www.protectionproject.org. For currency conversion, see FX Converter, [online] [cited September 6, 2002]; available from http://www.carosta.de/frames/convert.htm.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Nigeria became a member of ILO-IPEC in August 2000. The government is implementing a USDOL-funded ILO-IPEC national program to eliminate child labor and participates in a USDOL-funded ILO-IPEC regional project to combat the trafficking of children. Working with ILO-IPEC, the government established a National Steering Committee on child labor in 2000. The Nigerian Federal Office of Statistics is completing a national child labor survey funded by USDOL, with technical assistance from ILO-IPEC.

The Government of Nigeria has developed a national plan of action to combat child trafficking and is working with ECOWAS to develop a regional action plan. The government is participating in a program funded by USDOL and the Cocoa Global Issues Group that will seek to withdraw children from hazardous work in the cocoa sector, provide income generation and economic alternatives, and promote education. In addition, the USAID-supported Sustainable Tree Crops Program is incorporating elements into its program and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in the cocoa sector. In July 2002, the International Institute of Tropical Agriculture (IITA) and national research collaborators completed a study of child labor in the cocoa industry in Cameroon, Côte d’Ivoire, Ghana and


2654 The project began in 1999 and is currently in its second phase. ILO-IPEC, Combating the trafficking of children for labour exploitation in West & Central Africa (Phase II), RAF/01/P53/USA, Geneva, March 2001.


2656 Ibid. See also ILO official, electronic communication to USDOL official, August 28, 2002. See also ILO-IPEC, National Programme on the Elimination of Child Labour.


2658 Roger Laloupo, ECOWAS Director of Legal Affairs, interview with USDOL official, August 1, 2002.

2659 ILO-IPEC, West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP), project document, RAF/02/P50/USA, Geneva, September 2002.

The Government of Nigeria is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime (UNODC) to strengthen anti-trafficking efforts for women and children. UNODC is providing technical assistance in areas such as research and law enforcement training.

In 1999, the government relaunched a Universal Basic Education Scheme, which aims to promote access to education, reduce the incidence of drop-out, provide alternative education to dropouts, and ensure the acquisition of life skills in school. In September 2002, the Government of Nigeria was approved to receive funding in the amount of USD 101 million to support this project.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated 23.9 percent of children ages 10 to 14 years in Nigeria were working. Children work in agriculture, usually on family farms, in fishing, and with cattle herding. Children also work on commercial farms. Within the non-agricultural informal sector, children work in domestic service, cottage industries and public places. Children work in public markets and streets as hawkers, vendors, stall minds, beggars, car washers, scavengers, bus...

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2661 The study was conducted with support from USAID, USDOL, World Cocoa Foundation, the ILO, and the participating West African governments, and was carried out under the framework of the Sustainable Tree Crops Program. International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa*, 2002.


2666 Hodges, *Children’s and Women’s Rights in Nigeria*, 204.

2667 Ibid.
conductors, and head-loaders. Children work in cottage industries as mechanics, tire repairers, metal workers, carpenters, tailors, weavers, barbers and hairdressers. Child begging is especially widespread in northern Nigeria.

Child prostitution is common in many cities in Nigeria, and the average age of commercial sex workers is reportedly 16 years. Nigeria is a source, transit and destination country for trafficked persons, including children. Children from Benin and other African countries are trafficked to Nigeria, where some are forced to work as prostitutes or in domestic and agricultural labor. Children are trafficked for domestic and agricultural labor to Benin, Cameroon, Gabon, and Togo, and there have been reports of children trafficked to Europe for sexual exploitation.

Education in Nigeria is compulsory for nine years. In 1996, the gross primary enrollment rate was 81.9 percent. In 1999, the net primary attendance rate was 55 percent. Compulsory primary education is often not provided. Federal government expenditures on education fell consistently in the 1980s and 1990s, and in 1998 were 77 percent less than in 1980. The Nigerian government has estimated that budgetary allocations for all levels of education are in the range of 2 to 3 percent of GDP, well below that of other African countries.

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2668 Ibid. See also U.S. Department of State, Country Reports- 2001: Nigeria, 531-35, Section 6d.
2669 Hodges, Children's and Women’s Rights in Nigeria, 205.
2670 As poverty has become more widespread in Nigeria, the almajiranci system of semi-formal Koranic education has come to rely on child pupils engaging in begging to support their mallam, or Islamic teacher. UNICEF Nigeria reports that the Nigerian government has done little to address the problem of child begging. Ibid., 209.
2671 Ibid., 209-10.
2674 ILO-IPEC, Combating the trafficking of children in West & Central Africa (Phase I), 1.
2676 Ibid. Between 1994 and 1997 at least 400 trafficked children were rescued in Akwa Ibom state, enroute to Gabon. See Hodges, Children’s and Women’s Rights in Nigeria, 211.
2679 World Bank, World Development Indicators 2002.
2680 Hodges, Children’s and Women’s Rights in Nigeria, 146. In 1990, the most recent year for which figures are available, the gross primary attendance rate was 83.4 percent. See USAID, GED 2000: Global Education Database [CD-ROM], Washington, D.C., 2000.
2682 Hodges, Children’s and Women’s Rights in Nigeria, 164-65.

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Child Labor Laws and Enforcement

The Labor Act sets the minimum age at 12 years for employment and apprenticeships, except for light agricultural or domestic work performed for the family. The law prohibits children under 12 years from lifting or carrying any load likely to injure physical development, and establishes a minimum age of 15 years for industrial work and maritime employment. The law prohibits children under 16 years from working underground, on machines, at night, more than four consecutive hours, or more than eight hours a day. The law also prohibits children under 18 years from any employment that is dangerous or immoral. The law does not apply to domestic service. Nigeria has no federal laws to address trafficking.

The Ministry of Labor, Employment and Productivity is responsible for enforcing legal provisions relating to conditions of work and protection of workers. However, there are few labor inspectors, and inspections are conducted only in the formal business sector where there are few occurrences of child labor. Enforcement provisions have not deterred violations. As of November 2002, no recent child labor inspections had resulted in fines, penalties or convictions. Investigations of child trafficking are hampered by widespread corruption among government, and particularly law enforcement, officials.


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2684 Ibid., Articles 59 and 61.
2685 Ibid., Articles 59 and 60.
2686 Ibid., Article 59.
2687 Ibid., Articles 59 and 65.
2690 U.S. Embassy- Abuja, unclassified telegram no. 2976.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In conjunction with UNESCO, the Government of Oman participated in the Education For All 2000 Assessment. The Ministry of Education is also working to increase net enrollment among children and improve the education curriculum.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that less than 1 percent of children ages 10 to 14 years in Oman were working.

In order to achieve the goal of education for all, the government provides free transportation to and from school. Education is free but not compulsory for all children ages 6 to 18. In 1998, the gross primary enrollment rate was 74.6 percent (72.5 percent for girls and 76.7 percent for boys). The net enrollment rate for that year was 66 percent (65.3 percent for girls and 66.8 percent for boys). Attendance rates are not available for Oman. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Oman Labor Law of 1973 established the minimum age for employment at 13 years. A child is defined as anyone below the age of 13 and a juvenile as anyone between the ages of 13 and 18.

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2697 Ibid. For a source verifying that education is not compulsory, see UN Committee on the Rights of the Child, Concluding Observations of the Committee on the Rights of the Child, 2001, [cited August 26, 2002]; available from http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/e07b24de6d770996c1256a90056efd0?OpenDocument.

2698 World Bank, World Development Indicators 2002.

2699 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

16. The employment of juveniles is permitted between the hours of 6 a.m. and 6 p.m., provided that the labor is not too strenuous for their age. The law further prohibits employers from working juveniles overtime, on weekends and holidays without the authorization of the Ministry of Social Affairs and Labor. An employer is required to possess a certificate of health for each child.


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2701 Labour Law.
2702 Ibid.
2703 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Pakistan has been a member of ILO-IPEC since 1994. With the enactment of the Employment of Children Act in 1991, the Government of Pakistan began to take measures to address child labor issues. An ILO-IPEC Action Plan formalized activities to combat child labor and coordinated such efforts by government organizations, NGOs, trade unions, employers’ bodies, and other interested parties. In 1995, the Pakistan Carpet Manufacturing and Export Association, with the support of ILO-IPEC, implemented an action program to combat child labor in the carpet industry. In March 1998, the government established a Task Force on Child Labor to formulate policies and strategies for the elimination of child labor and bonded labor in Pakistan. In May 2000, the Federal Cabinet approved the National Policy and Action Plan to Combat Child Labour. Bait al-Mal, a government welfare agency created in 1992, operates 33 rehabilitation centers throughout the country, targeting children (aged 8 to 14) who have been exposed to hazardous labor, and provides the children and their families with training and stipends for income generation activities.


2706 Allegations of widespread child and bonded labor that were brought before the United States Trade Representative and other groups in the early and mid-1990s adversely affected Pakistan’s trade privileges and drew increased attention to the problem of child labor. In 1996, the United States partially removed the Generalized System of Preferences (GSP) trade benefits from Pakistan due to child labor concerns in three sectors: surgical instruments, sporting goods, and specific hand-knotted carpets. See Office of the United States Trade Representative, Kantor Recommends Partial GSP Suspension of Pakistan, press release, Executive Office of the President, Washington, D.C., March 7, 1996, [cited August 20, 2002]; available from http://ustr.gov/releases/1996/03/96-21.html. In addition to the issues raised with the United States Trade Representative, other cases were filed with the attention of the European Commission by the AFL-CIO in 1993 and the ICFTU in 1995. See Child Labour Unit et al., National Policy and Action Plan to Combat Child Labour, Government of Pakistan, Islamabad, 2000, 9.

2707 ILO-IPEC, Combatting Child Labour in the Carpet Industry in Pakistan, project document, PAK/99/05/050, Geneva, April 1, 1999, 3. Once the program finished, IPEC supported PCMEA to continue efforts in other areas.

2708 Ibid.

2709 Child Labour Unit et al., National Policy and Action Plan, 9.

2710 The National Policy and Action Plan calls for immediate eradication of the worst forms of child labor and the progressive elimination of child labor from all sectors of employment. It further seeks to prevent children from entering the work force by offering education as an alternative. Ibid., 7, 11.


In cooperation with ILO-IPEC and other NGOs, the Government of Pakistan has collaborated on several projects to eliminate child labor. From August 1997 to the present, a USDOL-funded soccer ball project has been underway in an effort to remove children from the soccer ball stitching industry and rehabilitate them. A two-phase project designed to eliminate child labor in the carpet-weaving industry was also funded by USDOL and implemented by ILO-IPEC. As of 2000, ILO-IPEC had implemented 21 projects in Pakistan, including five major projects, related to child labor, education, and rehabilitation. The Government of Pakistan signed a collaborative education agreement with USDOL on January 23, 2002. As a result, USDOL has recently awarded an internationally recognized implementing agency a USD 5 million grant to support a project designed to withdraw children from the worst forms of child labor in the Punjab, and to provide formal and non-formal education and training for working children and their younger siblings.

Within its national strategy to combat child labor, the Government of Pakistan has set a goal of 90 percent enrollment in primary schools by 2002-2003. The government’s policy emphasizes vocational training and technical education, as well as the creation of literacy programs for school dropouts and new programs targeting working children. To this end, the USDOL support will address issues linking child labor and barriers to education within the Government of Pakistan’s existing National Policy and Action Plan and the Education Sector Reforms Action Plan.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 15.4 percent of children ages 10 to 14 years in Pakistan were working. The majority of working children are involved in the agricultural sector, although children are also found working in the manufacturing, trade, and services sectors. More specifically, children are engaged in the manufacture of carpeting, soccer balls and surgical instruments, and are employed in automobile workshops and tanneries, as well as in domestic work. In addition, bonded child labor is still used in agriculture, the brick kiln industry and in the

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2715 Child Labour Unit et al., *National Policy and Action Plan*, 44.


2717 Save the Children-UK will be implementing the project. Ibid.


production of carpets. A baseline survey of the carpet-weaving industry, published in 2001, estimated that 107,065 children between the ages of 5 to 14 were weaving carpets in the province of the Punjab alone. Of those, approximately 60 percent were girls. Pakistan is a source, transit and destination country for child trafficking victims. Girls are often trafficked internally and into Pakistan for the purposes of sexual exploitation and bonded labor. Boys have been trafficked to the United Arab Emirates (UAE) and Qatar to work as camel jockeys. However, in 2002, the Government of the UAE made progress in stemming the trafficking of children to the country.

Education is not compulsory at the national level in Pakistan. However, two of the four provinces of Pakistan have compulsory primary education laws in force. In December 1994, the Punjab Assembly passed the Punjab Compulsory Primary Education Act, making primary


2726 Efforts include a decision to ban jockeys below 15 years of age and weighing less than 45 kg (99 lbs.); a requirement that youth undergo various forms of medical testing to determine if they are of age to race; and humane repatriation initiatives. See Xinhua News Agency, UAE: UAE Decision to Help Stop Smuggling of Bangladeshi Children, The Protection Project Daily News Archives, [online] August 1, 2002 [cited October 8, 2002]; available from http://www.protectionproject.org/main1.htm. See also IOM, Bangladesh- Child Camel Jockey Repatriation, August 2002. See also U.S. Department of State official, electronic communication to USDOL official, March 5, 2003. There is limited information on the efforts by the Government of Qatar to combat trafficking.

2727 World Education Services- Canada, “Pakistan,” in World Education Database, [cited December 16, 2002]; available from http://www.wes.org/ca/weddb/pakistan/pkfacts.htm. It should be pointed out that in Part II, Fundamental Rights and Principles of Policy of the Constitution, there is a provision stating that the government “shall remove illiteracy and provide free and compulsory secondary education within a minimum possible period.” See The Constitution of the Islamic Republic of Pakistan, Part II, Chapter 2, 37b [cited August 21, 2002]; available from http://www.pakistani.org/pakistan/constitution/. The 1973 constitution was suspended in October 1999 when the military government assumed power. After the 2002 elections, the constitution was to go into effect once again with the addition of a number of amendments made by President Pervez Musharraf. The new members of the National Assembly are to be sworn in under the 1973 Constitution.
education compulsory throughout the province. In October 1996, the Government of the North-West Frontier Province (NWFP) passed the NWFP Compulsory Primary Education Act of 1996. In 1998, the gross primary enrollment rate was 86.2 percent. Primary school attendance rates are unavailable for Pakistan. The World Bank provided assistance to a project targeting the improvement of primary education, with special emphasis on increased access and better retention for girls, in the north and in Pakistani-controlled Jammu and Kashmir.

**Child Labor Laws and Enforcement**

The Employment of Children Act of 1991 prohibits the employment of children in a variety of occupations, except for family-run enterprises or in schools. The Act defines “child” as anyone below the age of 14 years and “adolescent” as anyone who has reached 14 but not 18 years of age. The law limits the workday of a child to seven hours, including a one-hour break after three hours of labor, and the work must be carried out between the hours of 8 a.m. and 7 p.m. A working child must be given at least one day off per week. It is illegal to require or allow a child to work overtime. Employers are required to maintain an employment register of working children, which labor inspectors examine. This law also prohibits the employment of children in specified occupations and processes that are dangerous or hazardous to the health of child workers. The Employment of Children Rules, 1995, modified the requirements for employers to maintain a minimum standard of health and safety in a child’s working environment. Violations of these provisions can result in a maximum one-year prison term and/or a fine of 20,000 rupees (approximately USD 350) for the offender. The Bonded Labor System (Abolition) Act of 1992 was meant to abolish the bonded labor system, discharge bonded laborers, and cancel remaining debts. Those found in violation of these provisions can face up to five years imprisonment and fines up to 50,000 rupees (approximately USD 877).

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2729 The gross primary enrollment rates for females are significantly lower (62.2 percent) than for males (109.1 percent). World Bank, *World Development Indicators 2002*.

2730 These areas targeted for funding are not part of the four provinces. See World Bank, *Northern Education Project*, [online] [cited August 21, 2002]; available from http://www4.worldbank.org/sprojects/Project.asp?id=P037834.


2732 This list of occupations includes work on trains, in the construction of railways, explosives, carpet-weaving and manufacturing where hazardous chemicals are used. Ibid., at The Schedule.


Despite the existence of laws on child and bonded labor and the government’s commitment to eliminating these forms of labor, the government has been relatively unsuccessful at enforcing existing laws.\textsuperscript{2737}

The Government of Pakistan has not ratified ILO Convention 138 but ratified ILO Convention 182 on October 11, 2001.\textsuperscript{2738}

\textsuperscript{2737} The government has taken steps to eradicate bonded labor, including a USD 1.7 million appropriation to the Ministry of Labour in 2000 to fight bonded labor and a plan to eliminate bonded labor in the brick kiln and agricultural sectors. U.S. Department of State, \textit{Country Reports- 2001: Pakistan}, 2527-34, Section 6c.

Panama

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Panama has been a member of ILO-IPEC since 1996. With funding from USDOL, the Department of Statistics and Census of the General Audit Office of Panama is conducting a national child labor survey with technical assistance from ILO-IPEC’s SIMPOC. ILO-IPEC, with USDOL funding, is also supporting baseline surveys on child labor in the sugar and coffee sectors in Panama. Panama is also participating in a USDOL funded ILO-IPEC program aimed at institutional capacity building, strengthening of law enforcement mechanisms, awareness raising, and combating child labor in the rural and urban informal sectors, as well as a regional project aimed at combating commercial sexual exploitation. A Canadian-funded ILO-IPEC project is also underway to gather information on child domestic labor in Panama. Under this project, the National Committee for the Eradication of Child Labor and Protection for Working Minors and the Ministry of Labor are coordinating with ILO-IPEC to develop action programs aimed at raising awareness and removing children from domestic work.

The Committee for the Eradication of Child Labor and Protection for Working Minors was established in 1997 by the Government of Panama in order to create a National Plan for the Progressive Elimination of Child Labor. The Ministry of Youth, Women, Childhood, and Family has created training and assistance centers for children living in urban areas such as Panama City and Colón, and for those living in the rural areas including Chiriqui, Veraguas, and Cocle. The centers provide health care, education opportunities, and vocational and social skills training to children and their families in an effort to prevent child labor. Members of the Ministry of Labor’s Child Labor Unit have participated in courses and workshops aimed at raising awareness on domestic labor, commercial sexual exploitation, data measurement on child labor, the

2742 ILO-IPEC, Country Program for Combating the Worst Forms of Child Labor in Panama, project document, 1. See also Icaza, letter, September 23, 2002.
2744 ILO-IPEC, Country Program for Combating the Worst Forms of Child Labor in Panama, project document, 7. See also Icaza, letter, September 23, 2002.
2745 ILO-IPEC, Country Program for Combating the Worst Forms of Child Labor in Panama, project document, 5, 10.
2746 Ministry of Youth, Women, Children, and Family, Programas y proyectos contra el trabajo infantil, Panama, 2000, 10-19.
development of a plan of action to prevent child work on Panama City streets, and forced child labor.2747

Through its Education for All efforts and its ten-year strategy for education (1997-2006), the government seeks to provide greater opportunity, access and services to groups such as indigenous populations and the disabled.2748 In 2000, the World Bank approved a loan of USD 35 million to help the government improve the quality of basic education in a project that is expected to benefit about 60 percent of Panama’s children attending primary and secondary school. The funds are being used to upgrade, expand and rehabilitate run-down or inadequate school buildings in order to accommodate a growing number of students in primary and secondary schools; expand early childhood education programs; and strengthen the Ministry of Education’s capacity.2749 In 2002, the Ministry of Education’s Basic Education Unit developed a plan and programs of study for its primary education centers and is working to improve the quality of basic education.2750

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 2.5 percent of children ages 10 to 14 years in Panama were working.2751 Children are found working in rural areas during the harvesting periods for sugar cane, coffee, bananas, and tomatoes.2752 While most working children in Panama are engaged in agricultural activities, especially among the indigenous population, such work is usually dismissed as part of the local culture.2753 Children from indigenous communities in Panama also accompany their parents to work in Costa Rica during the coffee harvest.2754 Children in Panama also work as

2750 Ministry of Education, Ministry of Education’s Programs for the President’s Report, Panama, 2.
domestic servants.\textsuperscript{2755} Child labor exists in urban areas,\textsuperscript{2756} especially in the informal sector.\textsuperscript{2757} A 1998 study of Panama City’s juvenile detention center found that the vast majority of detainees had been working as street vendors, car washers and supermarket packers when they were arrested for delinquency.\textsuperscript{2758} The commercial sexual exploitation of children has also been reported.\textsuperscript{2759} Trafficking in women and girls exists. Panama is a destination point for girls trafficked from Colombia and the Dominican Republic.\textsuperscript{2760}

In Panama, education is free and compulsory through the equivalent of ninth grade.\textsuperscript{2761} In 1998, the gross primary enrollment rate was 106.4 percent, and the net primary enrollment rate was 93.7 percent.\textsuperscript{2762} The proportion of dropouts is higher in rural and indigenous areas combined, than in urban areas.\textsuperscript{2763} Many rural areas do not have access to secondary education and the government does not cover transportation costs.\textsuperscript{2764} Children from poor families often do not attend school due to lack of transportation and the need to migrate with their families during the harvesting season.\textsuperscript{2765} School attendance is a particular problem in the Darien province and in indigenous communities.\textsuperscript{2766} About one-third of children from the indigenous communities miss the first three months of the academic year to work in the coffee harvest.\textsuperscript{2767} According to the Ministry of Youth, Women, Children and Family, 82 percent of the children in rural areas are absent from school during the harvest season.\textsuperscript{2768} Attendance rates are not available for Panama. While enrollment

\textsuperscript{2755} Commission on Women’s Issues, the Rights of Children, Youth, and Family, \textit{Condición del trabajo infantil y juvenil en las cañaverales de las provincias Cocle y Veraguas}, Panama, 2000, 16.

\textsuperscript{2756} Child beggars, grocery baggers and street vendors are found in many urban areas of Panama. These children all work informally and without legal protection. See U. S. Department of Labor, official trip report, July 2002. See also U. S. Department of State, \textit{Country Reports- 2001: Panama}, 2987-90, Section 6d.


\textsuperscript{2758} U.S. Embassy- Panama, unclassified telegram no. 1934.

\textsuperscript{2759} ILO-IPEC, \textit{Contribution to the Prevention and Elimination of Commercial Sexual Exploitation}, project document, 12.

\textsuperscript{2760} U. S. Department of State, \textit{Country Reports- 2001: Panama}, 2987-90, Section 6f.

\textsuperscript{2761} Ibid., 2984-87, Section 5. See also ILO-IPEC, \textit{Country Program for Combating the Worst Forms of Child Labor in Panama}, project document, 4.


\textsuperscript{2764} U.S. Embassy- Panama, unclassified telegram no. 3473.

\textsuperscript{2765} U. S. Department of State, \textit{Country Reports- 2001: Panama}, 2984-90, Sections 5 and 6d. See also Commission on Women’s Issues, Children, Youth, and Family, \textit{Condición del trabajo}, 27.


\textsuperscript{2767} U.S. Embassy- Panama City, unclassified telegram no. 2080, June 2002.

\textsuperscript{2768} Ministry of Youth, Women, Children, and Family, \textit{Programas y proyectos}, 8.
rates indicate a level of commitment to education, they do not always reflect children’s participation in school.2769

Child Labor Laws and Enforcement

The Labor Code and the Constitution set the minimum age for employment at 14 years of age. However, the Labor Code allows children less than 15 to work only if they have completed primary school.2770 According to the 1995 Law on Education, no child under 15 years of age is allowed to engage in work that interferes with his or her school attendance.2771 Further, Article 119 of the Labor Code permits minors between the ages of 12 and 15 to perform farm or domestic labor as long as the work is light and does not interfere with schooling.2772 The Labor Code also stipulates that minors under the age of 18 are prohibited from working in nightclubs, bars or other places where the consumption of alcoholic beverages is allowed; in transportation and electric energy; underground work; and the handling of explosives and flammables.2773 With the exception of work in nightclubs, these provisions may be waived if a minor performs the job as part of vocational training and work is conducted under the supervision of competent authorities.2774 Children younger than 16 may work no more than six hours a day or 36 hours per week, and children under 18 may work no more than seven hours a day or 42 hours per week.2775 Minors under the age of 18 may not work between the hours of 6 p.m. and 8 a.m.2776

The Labor Code also prohibits forced labor by children.2777 Article 501 of the Family Code2778 and Article 215C of the Penal Code criminalize child prostitution and child pornography for minors.2779 Trafficking in children is prohibited under the Penal Code.2780 The Penal Code calls for prison sentences of two to six years for the promotion or facilitation of entry or exit of a person into or out of Panama for the purpose of prostitution. However, prosecution is rare and corruption is common.2781

2769 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


2771 Government of Panama, Texto Unico de la Ley 47 de 1946, Orgánica de Educación, con las adiciones y modificaciones introducidas por la Ley 34 de 6 de Julio de 1995, Artículo 46.

2772 Labor Code, Articles 119 and 23.

2773 Ibid., Article 118.

2774 Ibid.

2775 Ibid., Article 122.

2776 Ibid., Article 120.


2778 Código de la familia, Article 501.

2779 U.S. Embassy- Panama, unclassified telegram no. 3133, August 2000.


2781 Ibid.
The Superior Tribunal for Minors and the Superior Tribunal for Families are the judicial bodies responsible for overseeing the protection and care of children. The Ministry of Youth, Women, Children, and Family proposes and reviews laws and monitors government performance with regard to children’s issues.²⁷⁸² The Ministry of Labor responds to child labor complaints and has the authority to order the termination of unauthorized employment; however, it lacks sufficient staff to enforce some child labor provisions in rural areas.²⁷⁸³ Businesses that employ an underage child are subject to civil fines, while employers who endanger the physical or mental health of a child can face imprisonment.²⁷⁸⁴ Although Panama has developed a strong legal framework to combat the worst forms of child labor and has conducted several child labor inspections in the coffee, sugar, melon, and tomato sectors,²⁷⁸⁵ child labor violations continue to occur, especially on commercial coffee and sugar farms and in the informal sector.²⁷⁸⁶

The Government of Panama ratified both ILO Convention 138 and ILO Convention 182 on October 31, 2000.²⁷⁸⁷

²⁷⁸² Ibid., 2984-87, Section 5.
²⁷⁸³ Ibid., 2987-90, Section 6d.
²⁷⁸⁴ U.S. Embassy- Panama City, unclassified telegram no. 3286, October 2001.
²⁷⁸⁵ Ibid. See also U.S. Embassy- Panama, unclassified telegram no. 3615. See also Icaza, letter, September 23, 2002.
²⁷⁸⁶ U.S. Embassy- Panama City, unclassified telegram no. 3286.
Papua New Guinea

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Papua New Guinea is reforming the country’s educational system under the National Education Plan (NEP). The NEP promotes universal access to three years of elementary education, urges completion of six years of primary school and aims to increase the number of students who continue into secondary school.\(^{2788}\) The plan also intends to improve equity in enrollments between boys and girls and urban and rural inhabitants, as well as improve the quality of education.\(^{2789}\)

The Australian Government is currently supporting 13 education projects on a range of issues, including teacher training, curriculum development, the improvement of facilities, and provision of educational materials.\(^{2790}\) The World Bank recently completed an Education Development Loan project that included the provision of textbooks in schools, increased educational opportunities for girls and strengthening of institutional management.\(^{2791}\) The EU and the Governments of Japan, Germany and China also provide educational assistance.\(^{2792}\)

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 17.2 percent of children ages 10 to 14 years in Papua New Guinea were working.\(^{2793}\) Child labor in the agricultural sector is a growing problem,\(^{2794}\) and there are


\(^{2789}\) UNESCO, *World Data on Education 2001*.


allegations that children under 12 years old are employed on commercial tea and coffee farms.\textsuperscript{2795} Although it is not reported to be widespread, children are said to be involved in commercial sexual exploitation.\textsuperscript{2796} It is unknown whether the use of child soldiers continues to be a problem, but children under 18 years of age fought with the Bougainville Revolutionary Army, an armed opposition group, during the separatist war in the late 1990s.\textsuperscript{2797}

Education is not compulsory or free in Papua New Guinea.\textsuperscript{2798} In 1998, the gross primary enrollment rate was 84.9 percent, with 78.4 percent of girls enrolled as opposed to 91.2 percent of boys.\textsuperscript{2799} Primary school attendance rates are unavailable for Papua New Guinea. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2800} Primary school dropout rates are high, particularly in rural areas, and only 59 percent of children complete primary school.\textsuperscript{2801}

**Child Labor Laws and Enforcement**

The Employment Act establishes 18 as the minimum age for employment, but children between the ages of 11 and 18 can work in family businesses with parental permission, a medical clearance and a work permit from the labor office.\textsuperscript{2802} The Constitution prohibits forced labor.\textsuperscript{2803} The


\textsuperscript{2797} Children under 18 years of age fought in the ranks of the Bougainville Revolutionary Army (BRA), and children as young as 13 and 14 years old were reportedly recruited. The BRA has since announced that it will review its recruitment policies and refrain from admitting children under 18 years old. Coalition to Stop the Use of Child Soldiers, “Papua New Guinea,” in *Global Report 2001*, [cited September 30, 2002]; available from http://www.child-soldiers.org/cs/childsoldiers.nsf/f30d86b5e33403a180256ae500381213/d3fd060bf388329f80256ae6002426d7?OpenDocument.

\textsuperscript{2798} Voluntary Service Organization, *Education in Papua New Guinea*.

\textsuperscript{2799} World Bank, *World Development Indicators* 2002.

\textsuperscript{2800} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


Summary Offences Act bans child prostitution, and the Criminal Code prohibits procuring, luring or abducting women or girls for sexual relations.2804


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Paraguay

Government Polices and Programs to Eliminate the Worst Forms of Child Labor

The Government of Paraguay has been a member of ILO-IPEC since 1998 and created the National Commission on Child Labor in 1999. In 2001, ILO-IPEC began implementing two USDOL-funded projects to address the child and adolescent domestic service population in Asunción and the sexual exploitation of children and adolescents on the country’s border with Argentina and Brazil. In addition, Paraguay and the other MERCOSUR member governments, the government of Chile, and ILO-IPEC have developed a 2002 – 2004 regional plan to combat child labor.

In 1997, the Presidency of the Republic, through its Secretariat of Social Action, began the implementation of a four-year program to improve the quality of the lives of children and adolescent street workers. In July 2000, the Ministry of Education and Culture initiated a five-year program to strengthen basic education reform. The Ministry of Public Health’s Social Welfare Office has developed on-going programs that offer financial help to vulnerable groups.

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2810 232 technical assistance projects were approved, benefiting nearly 72,000 children and adolescent street workers for a total of USD 9.3 million from an IDB grant and USD 1.6 million from the Paraguayan government. Inter-American Development Bank, Perfil II: Paraguay, online, September 2001, 4-5 [cited August 23, 2002]; available from http://www.iadb.org/exr/doc98/pro/upr0125.pdf.

including street children. The government also gave funds to all regional departments in 1999 and 2000 to establish school feeding programs.

## Incidence and Nature of Child Labor

In 1999, UNICEF estimated that 6.2 percent of children ages 5 to 14 years were working in Paraguay. According to the Ministry of Labor and Justice, 23 percent of children in urban areas work and the corresponding rate in rural areas is 44 percent. Data from the National Census indicates that nearly two-thirds of child workers are boys and more than one-third are girls. Children sell newspapers and sundries, clean car windows, and work in family enterprises and alongside their parents in fields. Poor families often send their daughters to work as domestic servants in the homes of friends or relatives in exchange for room, board and financial support for schooling. There are reports that in 2000 and 2001, traffickers reportedly lured girls from Paraguay to Argentina to work as models or domestic servants, then forced the girls into prostitution. Paraguay is also a country of destination for girls trafficked from other countries in the South America region for purposes of commercial sexual exploitation. There have been allegations that children from rural areas have been forced to use falsified identification documents to enlist in the armed forces.

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2818 Ibid., Section 6c.

2819 Ibid., Section 6f.


The General Education Law establishes free and compulsory basic education for nine years. In 1998, the gross primary enrollment rate was 115.5 percent, and the net primary enrollment rate was 91.7 percent. Primary school attendance rates are unavailable for Paraguay. While enrollment rates indicate a level of commitment to education, they do not always reflect a child’s participation in school. The Ministry of Labor and Justice reports that only 50 percent of children who start the first grade complete the primary level, and in rural areas, the completion rate drops to 10 percent.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years. The Child and Adolescent Code prohibits children between the ages of 14 and 18 from working underground, underwater, or under any other conditions that might be physically, mentally or morally dangerous or harmful to their well being. Children between the ages of 14 and 16 may not work in excess of four hours a day and 24 hours a week. Children ages 16 to 18 may not work more than six hours a day and 36 hours a week. The Code also makes it unlawful to contract children for domestic work outside of Paraguay.

The Constitution prohibits any form of slavery, repression or trade in human beings. The commercial sexual exploitation of children and adolescents, and the production or distribution of pornographic publications, are prohibited under the Child and Adolescent’s Code. The Penal Code prohibits any individual from putting the life or liberty of another individual in danger by forcing, tricking or coercing a person to leave the country, and it proscribes legal punishments for individuals who prostitute children under the age of 18. In cases in which a crime, such as...
trafficking in persons, is committed abroad by a Paraguayan national, Paraguay’s criminal law allows for extraterritorial jurisdiction. It is an offense to induce a person under 18 years of age into prostitution. If the perpetrator acts for profit or if the victim is under 14, the penalty can increase.

The Ministry of Labor and Justice’s Director General for the Protection of Minors is responsible for enforcing child labor laws. The government does not have sufficient resources to effectively enforce regulations on the minimum age for employment. Child victims of prostitution are often treated as offenders in detention centers and it is rare for clients or individuals who profit from prostitution to be caught or sanctioned.


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2833 In addition, the act must be considered a crime in the country in which it was committed. See ECPAT International, *Paraguay*, in ECPAT International, [database online] [cited September 3, 2002], at “Protection”; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

2834 Ibid.

2835 Ibid.


2837 Ibid.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Peru has been a member of ILO-IPEC since 1996. ILO-IPEC programs in Peru include the first and second phase of a USDOL-funded regional program to eliminate child labor in the small-scale, traditional mining sectors of Bolivia, Ecuador and Peru, and a USDOL-funded regional program to eliminate child domestic labor in Brazil, Colombia, Paraguay, and Peru. ILO-IPEC also provides support to remove children from dangerous work in stone quarries.

In 2002, the Ministry of Women and Social Development (MIMDES) produced the National Action Plan for Children and Adolescents 2002 – 2010, which focuses on the elimination of the worst forms of child labor for children between the ages of 6 and 11 and promotes control over working conditions for adolescents at or above the legal working age as two of its strategic objectives. The National Institute of Family Well-Being has a program that provides a variety of services to working youth, including school support, housing, reintegration into the public school system, reinsertion into the family, and vocational training. The Ministry of Health’s School and Adolescent Health Program provides free medical coverage to children throughout the country.

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2842 In July 2002, with the reorganization of the executive branch of government, PROMUDEH was re-named the Ministério de la Mujer y Desarrollo Social (MIMDES) by law No. 27779. Ministry of Women and Social Development, Antecedentes, [cited September 30, 2002]; available from http://www.promudeh.gob.pe/indiceorg.htm.


beginning at age 5 with the aim of promoting healthy behavior. In 1995, the National Police created the Division of the National Police for Matters Concerning Children and Adolescents to address cases concerning the rights of children and adolescents.

The Ministry of Education is implementing a basic education program that aims to improve the quality and infrastructure of education throughout the country and strengthen teacher’s skills and technological innovation, especially in rural areas. The Ministry is also implementing a distance-learning program using computer technology to provide children with access to school throughout the country. With funds from the Organization of American States, the Ministry of Education’s National Office on Pre-primary and Primary Education has developed a program to improve the quality and equity of basic education in rural areas through radio learning. The Ministry also began a three-year program in 2000 with assistance from the IDB to improve the quality of secondary education and to increase the educational system’s relevance and linkage to the labor market. With financing from the World Bank, the ministry began implementation of a project in 2002 to extend access to basic education, improve teaching quality and motivation in rural areas, and strengthen education management. A USDOL-funded project to promote access to quality basic education in the small-scale mining zones of the department of Puno was launched in September 2002.

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Incidence and Nature of Child Labor

In 2000, the ILO estimated that 1.9 percent of children ages 10 to 14 years in Peru were working.\textsuperscript{2853} A large number of children are working in the country’s informal economy.\textsuperscript{2854} Data from the National Household Survey indicate that the working population ages 14 to 17 tripled between 1997 and 2001.\textsuperscript{2855} Children are employed in the agricultural sector, fireworks factories, stone quarries, and the brick-making sector. Children are also found loading and unloading produce in markets, collecting garbage and working in informal mining sites.\textsuperscript{2856} In urban areas, children often work shining shoes\textsuperscript{2857} and perform unpaid domestic work.\textsuperscript{2858} It is reported that some children under the age of 15 years are forced to join the military through a system of recruitment called \textit{leva}.\textsuperscript{2859} These forced recruits often come from border areas or rural areas of the interior.\textsuperscript{2860} Children also engage in prostitution.\textsuperscript{2861} The commercial sex trade flourishes in Cuzco due to high unemployment and high tourism levels, and children are reportedly involved.\textsuperscript{2862}
The Constitution establishes free and compulsory public education through secondary school.\textsuperscript{2863} In 1998, the gross primary enrollment rate was 126.4 percent and the net primary enrollment was 103.1 percent.\textsuperscript{2864} School attendance is lower in rural and jungle areas, and girls attend at a lower rate than boys.\textsuperscript{2865} Attendance rates are not available for Peru. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2866} Indigenous children and those from rural areas lack access to the education system.\textsuperscript{2867} Average numbers of years of schooling and student performance are also sharply lower in rural areas than in urban areas.\textsuperscript{2868} The Child and Adolescent Code provides for special arrangements and school timetables so that working children and adolescents can attend school regularly.\textsuperscript{2869}

**Child Labor Laws and Enforcement**

In July 2002, the Office of Child Protection, Safety and Health in the Workplace was created within the Ministry of Labor and Employment Promotion to protect the rights of minors in the workplace.\textsuperscript{2870} In 2001, new legislation was passed that modified the Child and Adolescent’s Code of 2000 and raised the legal minimum age for employment from 12 to 14 years.\textsuperscript{2871} However, children between the ages of 12 and 14 may perform certain jobs if they obtain legal permission from the Ministry of Labor and Employment Promotion and can certify that they are attending school. In August 2002, the Ministry reported that it approved 839 of these requests in the first eight months of the year.\textsuperscript{2872}

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\textsuperscript{2863} Preschool, primary and secondary education are compulsory. *Constitución Política del Perú de 1993, actualizada hasta reformas introducidas por la Ley 27365, del 02.11.2000*, Article 17, [cited November 12, 2002]; available from http://www.georgetown.edu/pdba/Constitutions/Peru/per93.html. At the beginning of the 1990s, basic education was only required for a 6-year period. See UNESCO, *Education for All 2000 Assessment: Country Reports- Peru*, prepared by Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 2000, [cited September 5, 2002]; available from http://www2.unesco.org/wef/countryreports/peru/rapport_1.htm.

\textsuperscript{2864} World Bank, *World Development Indicators* 2002. Net enrollment rates greater than 100 percent indicate discrepancies between the estimates of school-age population and reported enrollment data.


\textsuperscript{2866} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{2868} World Bank, *Peru-Rural Education*, project information document.


\textsuperscript{2870} Nestor Popolizio, *Cuestionario sobre Trabajo Infantil*, Embassy of Peru, September 5, 2002, 5.


\textsuperscript{2872} Popolizio, *Cuestionario sobre Trabajo Infantil*, 3, 15.
According to the Code, the minimum age for the hazardous industrial, commercial or mining sectors is 15 years, while in the fishing sector, it is 16. Work that might harm a child’s physical, mental and emotional health and development, including underground work or work that involves heavy lifting and carrying, or work that might serve as an obstacle to continued school attendance, is prohibited for youth under the age of 18. Children between the ages of 12 and 14 years are prohibited from working more than four hours a day, or over 24 hours a week, and adolescents between 15 and 17 years may not work more than six hours a day, or over 36 hours a week. Working children must be paid at the same rate as adult workers.

The Child and Adolescent Code prohibits extreme forms of child labor such as forced and bonded labor, economically exploitative labor, prostitution, and trafficking. Prostitution is legal in Peru, but laws prohibit individuals from profiting by prostituting others. Laws prohibiting kidnapping, the sexual abuse of minors and illegal employment are enforced and can be used to sanction individuals who traffic children for exploitative labor. In 2001, amendments to the Penal Code strengthened existing penalties by criminalizing the production, possession and distribution of child pornography. In contrast, other amendments weakened existing penalties for sexual assaults against children.

The Ministry of Labor and Employment Promotion is responsible for enforcing labor laws. As of October 2002, the Ministry had 170 labor inspectors, over a third of whom work in Lima. Inspections are primarily conducted in the formal sector, and enforcement remedies are generally adequate to punish and deter violations.

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2874 Ibid.

2875 Ministry of Labor and Employment Promotion (formerly the Ministry of Labor and Social Welfare), Síntesis Legal. 7.1.3, Jornadas especiales de trabajo adolescentes, [cited October 1, 2002]; available from http://www.mtps.gob.pe/sintesis.htm. The Code further stipulates that all apprenticed adolescents must be registered by the company and authorized by the Ministry of Labor and Social Promotion. Ministerio de Trabajo y Promoción Social, Síntesis Legal: 7.3.1, Formación laboral juvenil, [cited October 1, 2002]; available from http://www.mtps.gob.pe/sintesis.htm. Working adolescents are not required to register with the Ministry of Labor if they are performing domestic or unpaid family work; however, the head of the household for which they work must register them in the municipal labor records. See Government of Peru, Comisión Andina de los Juristas, Red de Información Judicial Andina, Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337, Capítulo IV, Régimen para el adolescente trabajador, Artículo 50; available from http://www.cajpe.org.pe/rij/bases/legisla/peru/ley1.html. Adolescent domestic work also requires authorization from local authorities, Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337, Capítulo IV, Régimen para el adolescente trabajador, Artículo 48.

2876 Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337, Capítulo IV, Régimen para el adolescente trabajador, Artículo 59.


2879 Ibid., 3024-27, Section 6f.

2880 ECPAT International, Peru, at “CSE Overview”.

however, where the government does not supervise wages or working conditions.\textsuperscript{2882} The Directorate of Children and Adolescent Affairs, an office within MIMDES, is charged with protecting the rights of children and adolescents.\textsuperscript{2883} At the municipal level, the Municipal Child and Adolescent Defender Centers (DEMUNAs) work with local governments to supervise investigations, apply punishments,\textsuperscript{2884} and monitor compliance of child labor laws.\textsuperscript{2885} Reportedly, police often treat prostituted children as offenders and grant impunity to their clients. In addition, corruption among law enforcement officials makes implementation of children’s rights and the protection of children more difficult.\textsuperscript{2886}

The Government of Peru ratified ILO Convention 138 on November 13, 2002 and ILO Convention 182 on January 10, 2002.\textsuperscript{2887}

\begin{footnotesize}
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\item \textsuperscript{2882} U.S. Department of State, \textit{Country Reports- 2001: Peru}, 3024-27, Section 6d.
\item \textsuperscript{2884} \textit{Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337}, Capítulo V, Contravenciones y Sanciones, Artículo 70.
\item \textsuperscript{2885} U. S. Embassy- Lima, \textit{unclassified telegram no. 5249}.
\item \textsuperscript{2887} ILO, \textit{Ratifications by Country}, in ILOLEX, [database online] [cited December 4, 2002]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.
\end{enumerate}
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Philippines

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Philippines became a member of ILO-IPEC in 1994. The government, however, first began an anti-child labor program in 1988 in order to coordinate the activities of government agencies. In 1992, the government established the National Child Labor Program Committee, composed of governmental, nongovernmental, employer, and worker representatives, to provide policy and technical assistance on child labor. The government has created strategic action plans on trafficking, child labor, children’s issues (including efforts to protect children with special needs such as working children), and for children engaged in armed conflict. President Arroyo established a Department of Labor and Employment (DOLE)-led Poverty-Free Zone Program in September 2001 that includes anti-child labor activities.

In cooperation with ILO-IPEC, community and direct action initiatives are being implemented in the Philippines to target specific occupations utilizing the worst forms of child labor. In June 2002, USDOL, the Philippine DOLE, and the Philippine Department of Education (DEPED) signed a letter of intent committing all three agencies to collaborate on Time-Bound initiatives aimed at reducing the number of children participating in the worst forms of child labor, and strengthening

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the Philippines’ educational systems. The USDOL-funded ILO-IPEC Time-Bound Program was launched in 2002 with the long-term objective of eliminating specified worst forms of child labor. Under this USD 5.2 million program, sectors to be targeted include commercial sexual exploitation, mining and quarrying, pyrotechnics, deep-sea fishing, domestic service, and work on commercial sugar cane farms. With funding from USDOL and technical assistance from ILO-IPEC, the Philippine National Statistics Office (NSO) conducted the second round of a national child labor survey in 2001 to identify the extent and nature of child labor in the Philippines.

Since 1994, DOLE has implemented the “Sagip Batang Manggagawa” (SBM-“Rescue the Child Workers”) Program to monitor suspected cases of child labor and intervene on behalf of children in affirmed cases. In addition, DOLE has a number of social welfare programs targeting working children, including the Working Youth Center and the Bureau of Women and Young Workers’ (BWYW) Family Welfare Program. The Department of Social Welfare and Development provides social welfare support for victims of prostitution and trafficking. The government cooperates with the U.N. Center for International Crime Prevention in implementing a pilot project to improve law enforcement and interagency cooperation on anti-trafficking initiatives, as well as victim assistance, and the Department of Foreign Affairs operates a task force on trafficking in persons. Both independently and with UNICEF assistance, the government launched national information and awareness-raising campaigns against child labor.

2895 Letter of Intent between the U.S. Department of Labor, the Department of Labor and Employment of the Republic of the Philippines, and the Department of Education of the Republic of the Philippines, June 28, 2002, paragraphs 1 and 3.

2896 The Time-Bound Program implementation has been integrated into the National Programme Against Child Labour for 2001-2004. USDOL funded the ILO-IPEC Time-Bound Program in September 2002. ILO-IPEC, Supporting the Time-Bound Program, project document, ii-iii, 4-5. In a May 2001 speech, President Arroyo committed the government to “undertake effective and time-bound measures to eliminate the worst forms of child labor in our midst and prevent future generations from engaging in the same.” See 21st National Convention of the Federation of Free Workers, Statement read by Department of Labor and Employment Secretary Patricia Aragon Santo Tomas, May 25, 2001. See also ILO Special High-Level Session, Statement by Department of Labor and Employment Secretary Patricia Aragon Santo Tomas, June 12, 2001.


2899 The BWYW has conducted training for government officials who enforce child labor laws as well as for companies nationwide. U.S. Embassy- Manila, unclassified telegram no. 5990, October 10, 2001.


2901 Ibid.

2902 The Philippine Information Service (PIA) campaign includes posters, comic page inserts, and radio and television announcements that are aimed at children, parents and employers. PIA also holds workshops with the assistance of UNICEF, and it works locally to collect baseline data on people’s attitudes and perceptions on child labor. U.S. Embassy- Manila, unclassified telegram no. 4103.
The Medium-Term Philippine Development Plan for 2001-2004 includes promotion of universal primary education. DEPED is implementing functional education and literacy programs that provide working children with basic education and skills training. In addition, the government is working in consultation with community groups to implement the National Project on Street Children that provides street children with the financial support to continue their education. DEPED’s Bureau of Non-formal Education collaborates with donors and local government bodies to provide non-formal education (NFE) under the NFE Accreditation and Equivalency System. DEPED began to extend the system to out-of-school children ages 6 through 14 in 2002.

The Asian Development Bank (ADB) and the government signed an agreement to work in partnership to fight poverty, including improving the quality of basic education. The ADB is currently funding three projects through DEPED, the Technical Education and Skills Development Authority (TESDA), and the Development Bank of the Philippines to improve secondary and vocational education. The Australian Agency for International Development (AusAID) is also assisting the delivery of quality technical education services through TESDA, as well as improving basic education in Mindanao. UNICEF works actively with the government to promote children’s rights, assist children in need of special protection, including working children, and support educational improvements.

2904 Ibid.
2906 Dr. Rosario de Guzman, electronic communication to USDOL official, June 19, 2002.
2910 The funds are available for private institutions providing technical education to borrow in order to improve services. Ibid. The ADB also has three projects in the pipeline to support government efforts under three projects to address basic education in Mindanao, conduct overall education sector reform, and improve teacher training and management. See Asian Development Bank, Country Strategy and Program Update (2002-2004), [cited September 4, 2002], Appendix 6; available from http://www.adb.org/Documents/CSPs/PHI/2001/default.asp.
Incidence and Nature of Child Labor

A national child labor survey conducted in 2001 by the Philippine National Statistics Office, in cooperation with ILO-IPEC, estimated that 16.2 percent (4 million) of children ages 5 to 17 years in the Philippines were working. The survey found that of the country’s 24.9 million children ages 5 to 17 years, 2.4 million work under hazardous conditions. Almost half of working children, or 1.9 million, are ages 10 through 14. Child labor is more prevalent in rural areas, Almost half of all child workers are engaged in agricultural activities, while other children work in informal footwear production, drug trafficking, pyrotechnics production, deep-sea fishing, mining and quarrying, and pearl farming. Children living on the streets engage in informal labor activities such as scavenging or begging. Children are also engaged in domestic service and are involved in the commercial sex industry. Children are reportedly trafficked internally for purposes of commercial sexual exploitation and labor. There are no reports of child soldiers in the government armed forces, but children under the age of 18 are used as soldiers in paramilitary


2915 Within the specified age group, 70 percent of working children worked in rural areas. National Statistics Office, *Philippine Survey on Children 2001*.

2916 Ibid. See also Alejandro W. Apit, Kamalayan Development Foundation, interview with USDOL official, April 6, 2000.

2917 Children manufacturing footwear from home are exposed to dangerous glue and kerosene fumes, and are at risk of hurting their fingers with the tools used. Department of Labor and Employment: Occupational Safety and Health Center, *Consolidated Report 1998/1999*, Manila, 19-21.


2919 ILO-IPEC, *Supporting the Time-Bound Program*, project document, 4-5.


and armed opposition groups such as the Moro Islamic Liberation Front, the Abu Sayyaf Group and the New People’s Army.2923

The Philippine Constitution mandates six years of compulsory primary education for children.2924 The Governance of Basic Education Act (Republic Act No. 9155) of 2001 formalized the structure of the Department of Education and outlined the roles and responsibilities of the national, regional and local levels of the administration. The Act also aims to improve the local relevance of education by expanding input into the system.2925 Primary and secondary schools do not charge tuition, although families must cover related costs such as transportation and supplies.2926 In 1998, the gross primary enrollment rate was 118.8 percent. The 1998 net primary enrollment rate was 95.7 percent, with 92.9 percent of girls enrolled versus 98.4 percent for boys.2927 The primary attendance rate in 1999 was approximately 86 percent.2928

**Child Labor Laws and Enforcement**

Republic Act No. 7658 of 1993 and the Labor Code of 1993 prohibit the employment of children under the age of 15, except when working directly with a parent and when the work does not interfere with schooling.2929 Additionally, it is permissible for a child to work as an apprentice at age 14.2930 The Labor Code gives the Secretary of Labor and Employment the authority to limit working hours for children between 15 and 18 years, and prohibits hazardous work for children less

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than 18 years of age.\textsuperscript{2931} Policy Instruction No. 23 of 1977 prohibits night work for children under the age of 16 years from 6 p.m. to 6 a.m. and forbids children ages 16 to 18 years from working after 10 p.m.\textsuperscript{2932} Slavery and forced labor are prohibited under Articles 272 and 274 of the Revised Penal Code,\textsuperscript{2933} and the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act protects children from all forms of abuse, cruelty and exploitation and prohibits child prostitution and child trafficking.\textsuperscript{2934} The Revised Penal code also prohibits engaging in, profiting from or soliciting prostitution.\textsuperscript{2935}

The DOLE is responsible for enforcing child labor laws through the labor standards enforcement offices.\textsuperscript{2936} However, child labor enforcement is weak due to a lack of resources, inadequate judicial infrastructure, low rates of convictions, and legislative shortcomings such as absence of coverage in the informal sector.\textsuperscript{2937}

The Government of the Philippines ratified ILO Convention 138 on June 4, 1998, and ILO Convention 182 on November 28, 2000.\textsuperscript{2938}

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\textsuperscript{2931} Ibid., Article 139. The Department of Labor and Employment’s Order No. 4 of 1999 includes in the definition of “hazardous work” the handling of dangerous substances (e.g., adhesives used in footwear manufacture); work hazardous to morals (e.g., employment in dance halls); work that entails exposure to extreme elements of cold, heat, noise, or pressure (e.g., deep-sea diving and underground work); and work that is hazardous by its nature (e.g., mining, logging, and pyrotechnics production). See Government of the Philippines: Department of Labor and Employment, \textit{Hazardous Work and Activities to Persons Below 18 Years of Age}, Department Order No. 04, 1999.
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\textsuperscript{2935} \textit{Revised Penal Code}, Articles 202, 341.
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Poland

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In January 2000, the Government of Poland created an Ombudsman for Children’s Rights to guard the rights of children as provided in the Constitution, the Convention on the Rights of the Child and national laws. These rights include the defense against violence, cruelty, exploitation, and actions that undermine a child’s moral sense. The Ombudsman has been active in a public information campaign on the hazards of children working in agriculture. The Ministry of Agriculture, Ministry of Education, State Labor Inspectorate (PIP), and Roman Catholic Church are working together to increase awareness of the hazards of child labor in rural communities.

The Government of Poland is currently developing a national plan to combat trafficking that coordinates the efforts of the government, the private sector and NGOs. The government has also started a project against trafficking in persons in cooperation with the Global Programme Against Trafficking in Human Beings of the United Nations Office on Drugs and Crime. The goal of the project is to strengthen criminal justice responses to trafficking and to improve the cooperation among the criminal justice system, civil society and other organizations to prevent trafficking and control the involvement of organized crime. In addition, an important part of the project is to provide assistance to victims and witnesses of trafficking. The government also cooperates with INTERPOL to address the issue of trafficking and organized crime.

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2942 Ibid.


Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Poland are unavailable. However, PIP reports an increase in the number of children working and an increase in labor violations by employers. Children have been found working in small businesses, factories and restaurants, and on farms.2946 There are also reports that girls are trafficked to and from Poland for the purpose of sexual exploitation. Girls trafficked into the country are generally from the Eastern European region, and include countries such as Belarus, Bulgaria, Romania, Russia, and Ukraine, and are disproportionately Turkish and Roma minorities. Other European countries, including Italy, Germany and the Czech Republic, tend to be destination states for children who are trafficked from Poland.2947 Other European countries, including Italy, Germany and the Czech Republic, tend to be destination states for children who are trafficked from Poland.2948

Education in Poland is compulsory to 18 years of age, and is free in public schools.2949 However, children living in rural areas and small towns are sometimes at a disadvantage when it comes to access to quality education.2950 In 1997, the gross primary enrollment rate was 97.7, and in 1996, the net primary enrollment rate was 96.5 percent.2951 Primary school attendance rates are unavailable for Poland. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.2952

Child Labor Laws and Enforcement

Article 190 of the Labor Code sets the minimum age of employment at 15 years.2953 Children 13 to 15 years of age may work under temporary, limited contracts with permission from their parents. Minors between 15 and 18 years have wider employment possibilities, but they may only be


2949 Constitution of Poland, Chapter 2, Article 70.

2950 Statement at the United Nations Special Session on Children.


2952 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

employed upon completion of primary school and under non-hazardous work conditions.  
Polish children below the age of 16 are banned from mining and most types of construction.  
The Criminal Code bans work by children under the age of 16 in the production of pornographic films.

Polish law prohibits forced and bonded child labor.  
Engaging in a sex act with a person under the age of 15 is a criminal offense in Poland, and carries a penalty of 1 to 10 years imprisonment.  
Leading an individual into prostitution by means of force, threat or by taking advantage of the dependence of a person is prohibited by Article 203 of the Criminal Code.  
Encouraging or promoting the prostitution of a person with the purpose of pecuniary gain is also considered criminal.  
Efforts to combat trafficking include the implementation of revised anti-trafficking criminal statues in 1998, with penalties of up to 10 years imprisonment.  
However, foreigners trafficked into Poland have no legal status or public resources available to them, and they are often quickly deported to minimize the expense of keeping them in detention.  
The PIP is responsible for all labor-related complaints, including those related to child labor, and PIP inspectors receive training in handling child labor issues.  
In 2001, the PIP conducted 1,375 investigations of underage employment, and levied fines that totaled 133,000 PLN (USD 34,000).  
Another 307 cases were sent to an administrative tribunal which can levy steeper fines.  
During the 2001 harvest, PIP found 2,400 children involved in harvesting.  
Fifty-four percent of these children were working in unsafe and harmful conditions.


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2954 ILO, Review of Annual Reports, 63.
2955 U.S. Embassy- Warsaw, unclassified telegram no. 4446.
2957 U.S. Department of State, Country Reports- 2001: Poland, 1679-83, Section 6d.
2958 Criminal Code- Poland, Articles 200, 03, and 04.
2959 U.S. Department of State, Country Reports- 2001: Poland, 1679-83, Section 6. See also Criminal Code- Poland, Article 203, para. 4.
2961 U.S. Embassy- Warsaw, unclassified telegram no. 4446.
Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Romania became a member of ILO-IPEC in 2000 and launched a National Action Program to Eliminate Child Labor. As part of the national program, child labor units were formed within the Ministry of Labor and Social Protection’s (MLSS) Labour Inspectorate and the National Authority for Child Protection and Adoption (NACPA), and a National Advisory Group on Child Labor was established. Inter-sectoral County Teams responsible for developing plans to investigate and monitor the child labor situation have been established in 18 counties. The government adopted the National Strategy for Child Protection for 2001-2004 and the Operational Plan for the Implementation of the Strategy, in which child laborers were recognized as a special target group of beneficiaries. The National Institute of Statistics and Economic Studies began implementation of a national survey on child labor in 2000. Data collection was finalized in 2002 and results are expected to be available in 2003. In September 2002, the


2965 Members of the child labor units, police officers and labor inspectors have been trained on investigating and monitoring child labor activities. See ILO-IPEC, Midterm Review: Country Program on Child Labor in Romania, Bucharest, July 2001, Annex II, 2.1. The advisory group members include labor inspectors, teachers, social workers, trade unionists, employers and representatives from universities and NGOs. Members are activists and serve as resources on child labor matters. ILO-IPEC, National Action for the Prevention and Elimination of Child Labour in Romania, technical progress report, 7.

2966 The teams include representatives of the Specialized Public Services for Child Protection, Territorial Labor Inspectorates, Country Police Inspectorates, School Inspectorates, NGOs, universities and others. ILO-IPEC, National Action for the Prevention and Elimination of Child Labour in Romania, technical progress report, 7.


2968 The survey is funded by USDOL and receives technical assistance from ILO-IPEC’s SIMPOC. ILO-IPEC, SIMPOC Progress Report, Geneva, September 2002. A USDOL-funded study of street children in Bucharest was carried out in cooperation with Save the Children Romania in 2000. The survey received technical assistance from ILO-IPEC’s SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. Gabriela Alexandrescu, Romania: Working Street Children in Bucharest: A Rapid Assessment, ILO-IPEC, Geneva, March 2002.

2969 ILO-IPEC, SIMPOC Progress Report.
government launched a supplementary nutrition program to provide milk and bread for all children attending primary school.  

In 2001, the government established a National Task Force on Trafficking to coordinate efforts to prevent and combat the trafficking of persons, and an Inter-ministerial Committee on Trafficking of Human Beings. The government also approved a National Plan of Action Against Trafficking of Persons in 2001. The government provided space for a shelter for victims of trafficking in November 2001. In addition, the government is working with international organizations and regional networks to implement anti-trafficking programs. The Southeast European Cooperative Initiative (SECI) Center in Bucharest has undertaken regional technical cooperation activities related to law enforcement and border police to combat trafficking. IOM is the most active international organization supporting trafficking prevention activities, and other organizations such as UNICEF, UNDP and local NGOs are also working to combat trafficking.

**Incidence and Nature of Child Labor**

Statistics on the number of working children under the age of 15 in Romania are unavailable. The majority of children work in agriculture, with fewer children working in trade and/or services, and outside the family home. In 2000, the NACPA estimated that there were 2,500 to 3,500

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2970 The school feeding program was established under Government Order No. 96/2002. ILO-IPEC, *National Action for the Prevention and Elimination of Child Labour in Romania, technical progress report*, 2. It is reported that some teachers say this is a powerful incentive for some at-risk children in rural areas to attend school. See U.S. Embassy-Bucharest, *unclassified telegram no. 4461*, November 2002.

2971 The Committee includes representation from the Ministries of Interior, Justice, Education and Research, Labor and Social Solidarity, The Prosecutor’s Office, and international and local NGOs. The National Plan of Action focuses on law enforcement and legal reform, and includes activities and cooperation of all relevant government and NGO institutions in areas of research, prevention, awareness raising and assistance. See UNICEF, *Trafficking in Human Beings in Southeastern Europe*, June 2002, 41-42.


2973 The Ministry of Interior provided the shelter space, IOM funded the refurbishment of the shelter and a local NGO, Estuar Foundation, manages the premises. UNICEF, *Trafficking in Human Beings*, 46.


2975 UNICEF, *Trafficking in Human Beings*, 44-46. IOM’s Counter-trafficking Information Campaign launched in 2000 to raise awareness about the dangers of irregular migration and trafficking has reached more that 1.6 million persons nationwide. See IOM Press Briefing Notes, April 2, 2002, via email.


2977 A 1997 survey by Save the Children Romania revealed that among children living with their families, 8.3 percent of children who attend primary school also work, primarily in agriculture along with their parents. See Save the Children Romania, *Child Labor in Romania*, 1997, 1.
street children. According to a study on street children in Bucharest, 62.7 percent of those interviewed dropped out of school. Street children are found begging, washing and parking cars, selling merchandise, performing household work, collecting waste products, loading and unloading merchandise, stealing, and engaging in prostitution. It is estimated that about 30 percent of sex workers in Bucharest are under 18 years of age. There are indications that Romanian teenage boys are involved in the sex trade in the countries of Western Europe. Romania is a country of origin and transit for internationally trafficked women and girls. Girls as young as 14 have been trafficked. The majority of trafficking cases in which IOM has assisted involve victims who were trafficked to the Balkans. Forty-six percent of these victims originated from the Moldova region of Romania.

The Constitution states that children have a right to a free public education. The Education Law No. 84/1995 was modified by Education Law 151/1999 to increase compulsory education to nine years. Article 20 of the Education Law stipulates that there is a possibility to organize special classes for children who have not finished the first four grades by the age of 14. In 1998, the gross primary enrollment rate was 102.9 percent, and the net primary enrollment rate was

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2980 Ibid., 27-28.


2982 Ibid.


2985 IOM has assisted both women and girls who had been trafficked. Between January 2000 and December 2001, 29 percent were returned to Romania from Bosnia-Herzegovina, 26 percent from FYR Macedonia, 17 percent from Albania, 14 percent from Kosovo, 6 percent from Italy and other countries, and 2 percent from Cambodia. International Organization for Migration, *Counter-Trafficking CT*.

2986 Ibid.


94.5 percent.\textsuperscript{2990} Attendance rates for Romania are not available. While enrollments rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2991} School participation is significantly lower among ethnic Roma children.\textsuperscript{2992}

**Child Labor Laws and Enforcement**

The Constitution sets the minimum age of employment at 15 years, and the exploitation and employment of children in activities that might be physically or morally unhealthy or put their lives or normal development at risk are prohibited.\textsuperscript{2993} The Labor Code stipulates that young persons ages 15 and 16 can be employed with the consent of their parents or legal guardian on the condition that the work performed is in accordance with their health and abilities and does not interfere with their education.\textsuperscript{2994} According to Article 155 of the General Norms of Labor Protection, children under the age of 16 cannot be used for loading, unloading and handling operations.\textsuperscript{2995} Children employed under the age of 18 may not be placed in hazardous work places and may not be made to work at night or beyond the legal duration of a working day (eight hours) except in emergencies.\textsuperscript{2996} The Constitution prohibits forced labor.\textsuperscript{2997} Article 19 of the Labor Code punishes forcing an individual to work against their will with six months to three years imprisonment.\textsuperscript{2998}

Article 191 of the Criminal Code outlaws the act of submitting a person to labor against his or her will, outlaws mandatory labor, and prohibits individuals from prostituting children.\textsuperscript{2999} The government adopted Law No. 678/2001 on preventing and combating trafficking in human beings, which, among other stipulations, protects children under the age of 19 years from being trafficked.


\textsuperscript{2991} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{2993} Constitution of Romania, Article 45 (3) and (4).


\textsuperscript{2995} Ibid.


\textsuperscript{2997} Constitution of Romania, Article 39 (1).

\textsuperscript{2998} Failure to observe the legal provisions on labor protection is punishable from three months to two years, or money penalties, if this leads to danger of work-related accidents or sickness. See the Labor Code as cited in Alexandrescu, *Romania: Working Street Children*, 10.

\textsuperscript{2999} National Agency for the Protection of Children’s Rights on the Romanian Government, *Romania’s Periodic Progress Report*, Section 8.3.
and applies more severe punishments when the child is under 15 years of age.\textsuperscript{3000} Article 18 of Law 678 also criminalizes child pornography.\textsuperscript{3001} Police investigated 391 persons in cases related to trafficking in 2001.\textsuperscript{3002}

Enforcement of labor laws that protect children falls under the mandate of the MLSS’ Labour Inspectorate (established under Law No. 108/1999).\textsuperscript{3003} The MLSS, the Ministry of Health and Family, the Ministry of Education and Research, and the NACPA are responsible for supervising the observance of norms regarding child protection.\textsuperscript{3004} In 2001, 8 children under 15 and 55 children ages 15-18 were identified as working illegally.\textsuperscript{3005}

The Government of Romania ratified ILO Convention 138 on November 19, 1975, and ILO Convention 182 on December 13, 2000.\textsuperscript{3006}

\begin{footnotesize}
\begin{itemize}
\item[3000] Eric Barboriak, U.S. Department of State official, electronic communication to USDOL official, May 2, 2002.
\item[3001] Ibid. Traffickers can be prosecuted under the relevant provisions of the Law 678/2001 (article 12 and 13) and under the Criminal Code (Articles 328, 329, 189, 190, 197, 198, 201, 202, and 203). See Romania Mission Geneva, \textit{Progress Report on the Measures Taken}.
\item[3002] Upon investigation, police found 336 crimes had been committed, including sexual exploitation of individuals and prostitution in Romania and abroad; one prostitution network was dismantled in Italy. Romania Mission Geneva, \textit{Progress Report on the Measures Taken}, 2-3.
\item[3005] U.S. Embassy- Bucharest, \textit{unclassified telegram no. 4461}.
\end{itemize}
\end{footnotesize}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Russia is an associated member of ILO-IPEC. In January 2000, the government began working with ILO-IPEC on a three-year project to rehabilitate working street children in St. Petersburg. ILO-IPEC officials conducted awareness raising workshops for local government officials, organized an action committee that developed recommendations for city government action, established teacher training in schools with high dropout rates, and directed families with at-risk children to existing services. In 2001, Russia’s Ministry of Labor worked with ILO-IPEC to conduct studies on the situation of street children in Moscow and the Leningrad Oblast region. In 2002, President Vladimir Putin called for immediate measures to address the problem of working street children, and the Ministry of Labor established a hotline for reporting cases of child abuse, including the problem of street children. Also in 2002, the Governor of St. Petersburg, a trade union federation and employers signed an agreement aimed at eliminating the worst forms of child labor. The government has developed a National Plan of Action on children’s rights, and has a federal commission headed by the Minister of Labor that focuses on child labor and education issues.

The government is strengthening the education system to ensure that children have access to high quality education. Its education strategy is contained in the Education Law and the Federal Program for Education Development, which emphasize curricular diversity, management

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3009 The action committee consists of trade union, police, academic, employer and NGO representatives. See Ibid.

3010 The project also provides rehabilitation for young girls living on the street and food, health care, shelter, and other necessities to street children. U.S. Embassy- Moscow, *unclassified telegram no. 15215*, October 2002.

3011 Ibid.

3012 Ibid.

3013 Ibid.


3015 In addition to government efforts to assist children at risk of working or living on the street, USAID is working with international and NGOs on an “Assistance to Russian Orphans” project that seeks to prevent child abandonment, promote policy change and increase public awareness on the problems of orphans. U.S. Embassy- Moscow, *unclassified telegram no. 15215*.

decentralization, diversification of education financing, and the development of monitoring mechanisms. In 2001, the government received World Bank financing for an Education Reform Project to improve general and vocational education and to enhance public educational spending. A World Bank project that started in 1997 is addressing social science education and textbook availability.

**Incidence and Nature of Child Labor**

Recent statistics on the number of working children under the age of 15 in Russia are unavailable. The breakup of the Soviet Union and the transition to a market economy increased poverty levels in Russia, and in 2002, the World Bank found that children have a higher poverty rate than the population as a whole. There are reports that economic downturn and an increase in the divorce rate in Russia have led to an increase in the number of street children in the country. Estimates of the number of street children range from 100,000 to 150,000, with possibly 3 million additional children at risk of living on the streets. A 2001 ILO-IPEC survey estimated there were between 30,000 and 50,000 street children in Moscow alone. Children work in retail services, apprenticeships, as couriers, trash collectors, and deliverers. Children also work washing cars, in garages, trading and selling at kiosks and markets, and loading and guarding goods. Children in Russia are engaged in prostitution and are trafficked for sexual exploitation from Russia to various European countries, the Middle East and North America. Street children are

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3017 Ibid., 6.
3024 Ibid., 29.
involved in pornography. There are also reports of children fighting alongside rebels in Dagestan and Chechnya.

Primary education is free until age 15, but the Law on Education allows a child to finish school at the age of 14 with parental and government approval. Most families pay additional fees for books and school supplies. There are no primary school enrollment or attendance rates available for Russia, but truancy is reportedly a growing problem.

**Child Labor Laws and Enforcement**

The new Labor Code sets the minimum age for regular employment at 16 years, and regulates the working conditions of children under 18, including bans on overtime, hazardous work and night work. Children may work in apprenticeship and internship programs at age 14 and 15 with parental approval, as long as such programs do not threaten their health and welfare. The Constitution prohibits forced labor. Article 151 of the Criminal Code prohibits coercion of a minor to engage in prostitution and Article 135 of the Code prohibits acts of perversion against children under the age of 14; Article 135 has been used to prosecute child pornographers. There are no laws against trafficking in persons.

The Ministries of Labor and the Interior are responsible for child labor enforcement but do not effectively enforce these laws due to a lack of resources and the informal nature of most child

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3029 Although no law exists to make education compulsory, the Constitution holds parents responsible for ensuring their children receive basic education. U.S. Embassy- Moscow, *unclassified telegram no. 15215*.

3030 Ibid.

3031 Ibid.


3035 U.S. Embassy- Moscow, *unclassified telegram no. 15215*.


labor in Russia. The Minister of Labor reported that 12,000 child labor violations were registered and 16,500 criminal cases opened in connection with child labor violations in 2001. The government reported to the ILO that children were often engaged in harmful and hazardous work, and that 2,300 child labor inspections identified and addressed 8,000 violations in 1999. Child labor inspections are complaint-driven.

The Government of Russia ratified ILO Convention 138 on May 3, 1979, but has not ratified ILO Convention 182.

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3038 U.S. Embassy- Moscow, unclassified telegram no. 15215.


Rwanda

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Rwanda is participating in a regional, four-year ILO-IPEC program funded by USDOL that is designed to prevent the involvement of children in armed conflicts in Central Africa. In August 2001, UNICEF, along with the International Committee for the Red Cross, the World Food Programme, the International Rescue Committee, and Save the Children (UK), set up a rehabilitation center to care for, rehabilitate and reintegrate former child soldiers in Rwanda.

In 2000, Rwanda’s Ministry of Education, in conjunction with the World Bank, initiated a five-year, USD 35 million program to build capacity in the educational sector. The program includes components designed to construct new schools, increase access to primary schools, improve the quality of education, improve teacher training and curriculum development, increase textbook availability, strengthen the administration of the educational system, and increase community involvement in the rehabilitation of the educational system.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 41.4 percent of children ages 10 to 14 years in Rwanda were working. Most children work in the agricultural sector. A study by the Ministry of Labor and UNICEF estimated that 2,140 girls are engaged in prostitution in urban areas. Rwandan


3046 Ibid.


3049 Integrated Regional Information Networks, “Rwanda: Interview”.

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children have reportedly served as soldiers in several regional conflicts. Children have reportedly served in Rwanda’s official paramilitary Local Defense Force and with forces opposing the Government of Rwanda. Child soldiers have also been recruited by Rwandan-based groups engaged in combat against the governments of the Democratic Republic of the Congo (DRC) and Burundi. Rwandan army soldiers reportedly helped the Congolese Rally for Democracy (RCD) abduct and forcibly recruit children to serve in the RCD armed forces in the DRC. Some children have reportedly joined the Rwandan army where they performed non-military tasks.

Primary education in Rwanda is compulsory from the ages of 7 to 12 years. Families must pay fees to enroll their children in school, though fees are waived for orphans. In 1998, the gross primary enrollment rate was 114.4 percent, and the net primary enrollment rate was 90.9 percent. According to UNICEF, almost one-third of Rwanda’s 700,000 children have little or no access to quality and equitable education. Of the children who enter the first grade, 76 percent reach the fifth grade. There is a high dropout and repetition rate among primary school children. Public schools lack basic supplies and cannot accommodate all primary age school children, and private schools are inaccessible or too costly for the majority of the population. Attendance rates are not available for Rwanda. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.


3056 World Bank, World Development Indicators 2002.


3059 Ibid., 4.


3061 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The minimum age for full-time employment is 18 years and 14 years for apprenticeships if the child has completed primary school. Children under 18 cannot work without permission from parents or guardians and may not work at night. Neither forced nor bonded labor by children, nor trafficking, is specifically prohibited. Under Article 374 of the Criminal Code, trafficking is an aggravated offense, with a doubled penalty for delivering a minor into prostitution upon entering or exiting the country. Legislation from 1977 sets the minimum voluntary age for military service at age 16. The Ministry of Public Service and Labor does not effectively enforce these laws in part because of the large number of children who are heads of household.


3063 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of St. Kitts and Nevis is working to improve primary education through construction and expansion of school buildings, revision of the primary curriculum, and by funding textbooks and paying school fees for students’ external examinations. In 1997, a curriculum Development Unit was established. In 1998, a Teacher Resource Center was established, and primary school children now receive a hot lunch. In 1998, public expenditures on primary education were 36.7 percent of total public expenditures on education and 1.7 percent of GNP.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in St. Kitts and Nevis are unavailable, and limited information is available on the incidence and nature of child labor. Children work in agriculture and domestic service, usually to help their families. There are no reported cases of forced or bonded child labor.

Education is compulsory between the ages of 5 and 16 years. In 1997 to 1998, the gross primary enrollment rate was 97.6 percent, and the net primary enrollment was 88.6 percent. Attendance rates are not available for Saint Kitts and Nevis. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Primary schools suffer from a high dropout rate and poor reading ability for males, high truancy, lack of relevant learning material, an insufficient number of trained and qualified teachers, and outdated teaching methods.


3070 Ibid.

3071 Ibid.


3073 Ibid., 3031-32, Section 6c.


3076 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


**Child Labor Laws and Enforcement**

The Constitution prohibits slavery, servitude and forced labor. The Employment of Children Ordinance sets the minimum legal working age at 12 years.

The Department of Labor in St. Kitts and Nevis is responsible for investigating child labor complaints. The Labor Ministry relies on school truancy officers and its community affairs division to monitor compliance with child labor provisions. To date, no cases of child labor violations have been brought to the attention of the ministry.


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3082 U.S. Embassy- Bridgetown, *unclassified telegram no. 1791.*

Saint Lucia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of St. Lucia adopted a national plan of action in 1991 for the survival, protection, and development of children, but has not implemented effective programs to fulfill its mandate. From 1995 to 2000, the government undertook a Basic Education Reform Project with support from the World Bank to increase the efficiency and effectiveness of the education system, and enhance access to educational opportunities.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Saint Lucia are unavailable. Children are found working in rural areas, where they help on family farms. Children also work in urban food stalls and as street traders during non-school and festival days.

In 1999, UNICEF estimated that the gross primary school enrollment rate was 121 percent. Attendance rates are not available for Saint Lucia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 1997-99, approximately 25 percent of the national recurrent budget was allocated to education, with primary education receiving a 41.1 percent share of the education allocation. Only about one-half of primary school children continue on to secondary school.


3087 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

3088 UNESCO, EFA 2000 Assessment: Saint Lucia, Section 2.5.

3089 Ibid. See also U.S. Embassy- Bridgetown, unclassified telegram no. 1792, September 2001.
Child Labor Laws and Enforcement

The Employment of Women, Young Persons and Children Law sets 14 years as the minimum age for employment, 18 years in industrial settings, and prohibits night work for children under 16 years.\textsuperscript{3091} The Education Act of 1999 sets the minimum age for employment at 16 years during the school year.\textsuperscript{3092} The constitution prohibits slavery, servitude, or forced labor, except for labor required by law, court order, military service, or public emergency.\textsuperscript{3093} The Criminal Code bans the procurement of women and girls for prostitution, as well as the abduction of any female for the purpose of forced sexual relations.\textsuperscript{3094} There are no laws that address trafficking in persons.\textsuperscript{3095} Labor laws do not specifically define hazardous work\textsuperscript{3096} and there is only one qualified workplace safety and health inspector for the entire country.\textsuperscript{3097} The penalties for violation of child labor laws do not exceed USD 200 or three months' imprisonment.\textsuperscript{3098}

The Department of Labor of the Ministry of Legal Affairs, Home Affairs and Labor enforces all labor laws and regulations through workplace inspections. There were no reports of violations of child labor laws, or of trafficking in persons in 2001.\textsuperscript{3099}

St. Lucia has not ratified ILO Convention 138, but ratified ILO Convention 182 on December 6, 2000.\textsuperscript{3100}

\textsuperscript{3091} U.S. Department of State, \textit{Country Reports- 2001: Saint Lucia}, 3036-37, Section 6d. The government recognizes that the age for the end of compulsory schooling does not correspond with the minimum age for employment, and has drafted a revision to the Labor Code to address this by increasing the minimum age for employment to 15 years. ILO, \textit{Review of Annual Reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work}, GB.283/3/1, Geneva, March 2002, 25, para. 120.

\textsuperscript{3092} Government of Saint Lucia, \textit{Education Act}, Article 27.

\textsuperscript{3093} \textit{Constitution of Saint Lucia, 1978}, (February 22, 1979), Section 4 [cited September 4, 2002]; available from http://www.georgetown.edu/pdba/Constitutions/Lucia/Luc78.html.


\textsuperscript{3096} ILO, \textit{Review of Annual Reports}, 25, para. 121.

\textsuperscript{3097} U.S. Department of State, \textit{Country Reports- 2001: Saint Lucia}, 3036-37, Section 6e.

\textsuperscript{3098} U.S. Embassy- Bridgetown, unclassified telegram no. 1792.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Saint Vincent and the Grenadines through its Ministry of Education is participating in the implementation of the OECS Education Strategy, through which the OECS territories aim to improve their education systems. The government is also collaborating with UNICEF, UNESCO and other organizations to improve the level of educational services. School textbook and feeding programs aim to improve the participation rate of children at the primary level. The government has also established a program to reintegrate street children into their families.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in St. Vincent and the Grenadines are unavailable. However, children are known to work on family-owned banana farms, particularly during harvest time, or in family-owned cottage industries. Commercial sexual exploitation of children occurs in Saint Vincent and the Grenadines.

Education is neither compulsory nor free. The government investigates cases in which children are withdrawn from school before the age of 16, but the teachers’ union estimates that 8 to 10

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3102 Ibid., para. 350.


percent of secondary school children did not attend school in 2001. Primary school leavers are believed to work illegally as apprentices. In 1998, the gross primary enrollment rate was estimated at 90.5 percent, and the net primary enrollment rate was estimated at 83.5 percent. Attendance rates are not available for Saint Vincent and the Grenadines. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Employment of Women, Young Persons and Children’s Act of 1990 sets the minimum age for employment at 16 years, but since children often leave school at the age of 15, many begin work as apprentices at that age. Forced or compulsory labor is prohibited by law, and it is not known to occur. The Labor Inspectorate at the Department of Labor is authorized to investigate and address child labor legislation, and conducts annual workplace inspections. No violations have been reported, and employers are believed to generally respect the law in practice. Prostitution of girls under the age of 15 is prohibited by the Criminal Code. There are no laws

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3111 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

3112 U.S. Embassy- Bridgetown, unclassified telegram no. 1758.


3116 U.S. Embassy- Bridgetown, unclassified telegram no. 1758.

that specifically address trafficking in persons, and there were no reports of trafficking involving the country in 2001.\textsuperscript{3118}

The Government of St. Vincent and the Grenadines has not ratified ILO Convention 138 but ratified ILO Convention 182 on December 4, 2001.\textsuperscript{3119}


Samoa

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In July 2000, the Government of Samoa launched a draft National Youth Policy 2000-2009, which highlighted issues of education and training, employment and youth justice. Various government agencies, the Samoan teachers’ association, tourism sector businesses, and NGOs formed an action group on the commercial sexual exploitation of children in 1998. In September 2000, the Asian Development Bank approved a loan for USD 7 million to finance an Education Sector Project in Samoa. The objectives of this project are to rehabilitate and expand 25 to 30 schools, develop curriculum and improve teachers’ skills.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Samoa are unavailable. However, children are found working in rural areas where schools are not available and in the sale of agricultural products at road-side stands. Children are also reported to work selling goods and food on the streets of the capital city of Apia. There are no reports of bonded labor by children, but some children are forced by community leaders to work for their village, most frequently on village farms. There is no reliable information on the commercial sexual exploitation of children in Samoa.

References:


3126 Ibid.
Education in Samoa is not free, but is compulsory from age 5 to age 13. It is reported that education requirements are rarely enforced in rural areas. In 1998, the gross primary enrollment rate was 101.7 percent, and the net primary enrollment rate was 96.3 percent. 

Primary school attendance rates are unavailable for Samoa. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Labor and Employment Act of 1972 sets the minimum age of employment at 15 years except in “safe and light” work. A child under the age of 15 is not permitted to work with dangerous machinery; under conditions that are likely to harm physical or moral health; or on a vessel that is not under the personal charge of his or her parent or guardian. The Constitution prohibits forced or bonded labor, including labor by children. However, work or service that is required by Samoan custom or fulfills a “normal civic obligation” is not considered “forced labor” and is therefore not prohibited.

The Criminal Code makes the prostitution of women and girls illegal in Samoa. The kidnapping of an individual with the intent to transport the individual out of the country or hold the individual for service is a crime and is punishable by up to 10 years imprisonment.

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3129 U.S. Embassy- Apia, *unclassified telegram no. 195*.


3131 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3133 Ibid.


3135 Ibid., Section 8(2)d.


3137 Ibid., Article 83 A.
person. The Commissioner of Labor is responsible for addressing complaints about illegal child labor. These complaints are referred to the Attorney General for enforcement.

The Government of Samoa is not a member of the ILO and, as such, has not ratified ILO Conventions pertaining to child labor.

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3138 The crime is punishable by up to seven years imprisonment. Ibid., Articles 83 and 83 B.
3140 No cases were prosecuted during 2001. Ibid.
São Tomé and Principe

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of São Tomé and Principe is working with the IMF and the World Bank to introduce equality of access in the educational system and to improve the quality of education. The government plans to carry out its goals by encouraging enrollment for all children (particularly girls and children in disadvantaged areas); reducing repetition and dropout rates at the primary level; renovating existing schools and constructing new ones; encouraging community participation; providing teacher training for primary and secondary teachers; and strengthening institutional and managerial capacities in the field of education.

The Government of São Tomé and Principe is also working under UNESCO’s Education for All Initiative to strengthen its teacher-training program.

The World Food Programme began a four-year program in 2000 to provide a mid-day meal to over 30,000 children in primary schools and kindergartens to alleviate short-term hunger and maintain attendance rates. In conjunction with the government, UNICEF is implementing an education program that focuses on the improvement of education quality in general, and more specifically, increasing primary school access for children up to the sixth grade. UNICEF also carried out an initial rapid assessment on working children in A. Grande and Caue. Funds from the Portuguese Government are supporting a school-mapping program.

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3143 The government also plans to develop technical and vocational training and promoting apprenticeship training. A more complete listing of government efforts can be found at Ibid., para. 36-37.


Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 2 percent of children ages 5 to 14 years in São Tomé and Príncipe were working as paid laborers, and another 6 percent participate in unremunerated work outside of the household.\(^\text{3149}\) Five percent of children within this age group carry out domestic tasks such as cooking, collecting water and watching other children for more than four hours per day.\(^\text{3150}\) Sometimes from an early age, children reportedly work in subsistence agriculture, on plantations, and in informal commerce.\(^\text{3151}\) About 10 percent of children ages 5 to 14 work for their families in the streets, participate in agricultural labor on commercial farms or engage in activities in the informal sector. This percentage is highest in Principe (18 percent) and in the north (15 percent).\(^\text{3152}\) Many children work in the absence of available education beyond the fourth grade.\(^\text{3153}\) There is little information about the commercial sexual exploitation of children in the country, but the government reportedly expects that, with the increase in tourism, the establishment of tax-free zones, oil exploration and increased migration to São Tomé, children are at risk of such exploitation.\(^\text{3154}\)

Education is free and universal through the age of 14 and compulsory through the sixth grade; education after the sixth grade or after the age of 14 is not free.\(^\text{3155}\) In 1999, the gross primary enrollment rate was 70 percent. Children in primary schools had a repetition rate of 31 percent\(^\text{3156}\) and a drop-out rate of 34 percent.\(^\text{3157}\)

Although the triple shift system designates four hours for class time, shifts last between two and three hours.\(^\text{3158}\) In addition, the proportion of qualified primary school teachers is declining.\(^\text{3159}\)

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\(^{3150}\) Ibid.


\(^{3153}\) UNICEF, *Education Programme*.


\(^{3149}\) Ibid. See also World Bank, *São Tomé and Principe- Social Sector Support*, 12.


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The educational system has a shortage of classrooms, insufficiently trained and underpaid teachers, inadequate textbooks and materials, high rates of repetition, poor educational planning and management, and a lack of community involvement in school management.\textsuperscript{3160} There is also a lack of inter-agency coordination\textsuperscript{3161} and domestic financing for the school system, leaving the system highly dependent on foreign financing.\textsuperscript{3162}

**Child Labor Laws and Enforcement**

The minimum age for admission to employment as established by national legislation is 16 years.\textsuperscript{3163} The Ministry of Justice and Labor is responsible for enforcing labor laws.\textsuperscript{3164} The Penal Code addresses the commercial sexual exploitation of children although there have been few prosecutions.\textsuperscript{3165} Forced and bonded labor, including by children, is prohibited and not known to exist.\textsuperscript{3166}

The Government of São Tomé and Principe has not ratified either ILO Convention 138 or ILO Convention 182.\textsuperscript{3167}

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\textsuperscript{3162} Ibid.

\textsuperscript{3163} The minimum age does not apply to family-owned or operated enterprises, home work, domestic services, self-employed work, family-owned or small-scale farms, and light work. It does apply to such areas as commercial agriculture and export processing zones. ILO, Review of Annual Reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Geneva, March 2002, Part II. For legislation on working minors, See also Government of São Tomé and Principe, *Ley Núm. 6/92, por la que se establece el regimen jurídico de las condiciones individuales de trabajo*, [cited October 10, 2002]; available from http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E.

\textsuperscript{3164} U.S. Department of State, *Country Reports- 2001: São Tomé and Principe*, 553-54, Section 6d.

\textsuperscript{3165} ECPAT International, *São Tomé and Principe*.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1994, the Government of Senegal adopted a National Plan of Action to Improve the Conditions of Child Workers, after becoming one of the pilot countries chosen to implement an ILO-IPEC child labor survey in 1993. In 1998, the government became a member of ILO-IPEC, and in the next year, launched a three-year ILO-IPEC program of action to eliminate child labor, with funding from the Government of the Netherlands. The project was extended by two years due to additional funding. The program works to improve national formal and non-formal education opportunities, social and legal protection for children, and working and living conditions for families. As part of the ILO-IPEC program, a total of 10 action programs targeting specific child laborers for withdrawal from exploitative child labor have been implemented.

In 2001, the Government of Senegal, in cooperation with the Government of Italy and UNICEF, launched a two-year program to support efforts to withdraw children in Senegal from the worst forms of child labor and exploitation. The government also cooperates with UNICEF to build government and civil society capacity to protect children in need of special protection. In 1992, the Ministry of Health, with assistance from UNICEF and several NGOs, began implementing a

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3173 ILO-IPEC, *Francophone Africa*.

3174 Ibid. Seven of these programs target children in the three priority areas established by the program: domestic work, hazardous work and rag picking.


3176 The program includes capacity building for government and nongovernment stakeholders, the creation of counseling centers for children, the establishment of a monitoring system to track conditions of working children, and awareness raising for families and the public about working children. ECPAT International, *Mission Report on West Africa*, 5.
project to help provide better food, lodging, water, health care, and school materials to children who were studying in traditional Koranic schools to keep the children from having to beg on the streets for food and money. In July 2001, the Government of Senegal joined other countries in francophone West Africa in Ouagadougou to launch an inter-parliamentary committee to study child trafficking. The government is also planning to conduct a national child labor survey in 2004 with technical assistance from ILO-IPEC’s SIMPOC.

In 2000-2001, the Government of Senegal began implementing and monitoring a 10 Year Education and Training Program 1999-2008 (PDEF), and adopted a national plan of action on education for all. These initiatives aim to achieve universal enrollment in primary education; prioritize funding for basic primary education and leverage non-government resources to help expand access to education; reform non-formal education opportunities; improve the management of education; and reconcile education management with the decentralization process. The PDEF plan calls for the achievement of a gross primary enrollment rate of 70 percent by 2000, 75 percent in 2001, and to attain universal enrollment by 2008. It also seeks to increase the enrollment rates of girls and to improve the quality of teaching. The World Bank has launched the Quality Education for All Project for Senegal, which supports the implementation of the PDEF.

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3183 Ibid. The Education for All report states that the goal of the Government is to achieve a gross primary enrollment rate of 75 percent in 2000 and to achieve universal primary school enrollment in 2015. UNESCO, *EFA 2000 Assessment- Senegal*.


UNICEF, and other international donors have also continued to support programs to improve access to basic education, particularly for girls.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 27.3 percent of children ages 10 to 14 years in Senegal were working. Children work mainly on family farms. They also work as domestic servants, scavengers in garbage dumps, ragpickers, apprentices in mechanics workshops and in the shoemaking and carpentry sectors, and in small businesses. Forty percent of the children in Senegal go to Koranic schools, or daaras, where they are sometimes forced to become street beggars to support their education. Senegal is reportedly a source and transit country for women and girls trafficked to Europe and the Middle East for sexual exploitation. According to reports, increased tourism into Senegal may be contributing to an increase in child prostitution and other forms of commercial sexual exploitation of children in urban areas.

Education is compulsory up to the age of 12. In 1998-99, the gross primary enrollment rate was 66.9 percent (70.3 percent for boys and 63.4 percent for girls) and the net primary enrollment rate in 1998 was 58.8 percent (63.9 percent for boys and 53.6 percent for girls). While the government has been making progress towards improving access to education, a disproportionate number of girls leave school before third grade and a large majority of women are illiterate. In 1998-1999, the student/teacher ratio in Senegal was 49 to 1. Senegal does not

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3187 World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002. UNICEF has also found that in 2000, 400,000 children between the ages of 6 and 18 were children in need of special protection. Half of these children are involved in hazardous child labor, 25 percent were subject to sexual exploitation and 25 percent were cut off from their families, particularly those enrolled in Koranic schools. See also “Child Labor: Senegal Launches Program.”

3188 Many girls, some as young as 6, work as domestic servants. See U.S. Embassy- Dakar, unclassified telegram no. 3552.

3189 “Child Labor: Senegal Launches Program.” See also Kamara, Senegal Upgrades its Koranic Schools.


3193 UNESCO, EFA 2000 Assessment- Senegal.

3194 World Bank, World Development Indicators 2002.

3195 See generally, UNESCO, EFA 2000 Assessment- Senegal.

3196 USAID, Senegal: Activity Data Sheet 685-008.

3197 UNESCO, EFA 2000 Assessment- Senegal.
have an adequate number of school facilities; however, current efforts are focusing on providing new schools and on addressing access issues that hamper education.\footnote{Ibid.}

\section*{Child Labor Laws and Enforcement}


Prostitution is illegal in Senegal.\footnote{Amy Otchet, \textit{Should Prostitution Be Legal?}, UNESCO Courier, [online] [cited September 13, 2002]; available from http://www.unesco.org/courier/1998_12/uk/ethique/tx1.htm.} Article 319, Section 7 of the Criminal Code, makes any offense against the decency of a child punishable by imprisonment for 2 to 5 years, and in certain cases (Articles 320-321) punishable by up to 10 years in prison. Cases where a minor is procured for prostitution are punishable by imprisonment for 2 to 5 years and a fine of 300,000 (USD 442.95) to 4,000,000 (USD 5,905.74).\footnote{Government of Senegal, \textit{Criminal Code, Section V: Offenses Against Public Morals}, [cited September 10, 2002]; available from http://www.protectionproject.org/vt/2.htm. For currency conversion see FX Converter, [online] [cited September 15, 2002]; available from http://www.carosta.de/frames/convert.htm. According to UNICEF Senegal, with the help of a Senegalese NGO, “The Future for Children”, a French national was prosecuted in France for abusing children under his care while in Senegal. This is said to be the first pedophile case in Senegal. ECPAT International, \textit{Mission Report on West Africa}.} Senegal’s constitution prohibits forced and bonded labor.\footnote{U.S. Department of State, \textit{Country Reports- 2001: Senegal}, 564-65, Section 6c.}

The Government of Senegal ratified ILO Convention 138 on December 15, 1999 and ILO Convention 182 on June 1, 2000.\footnote{U.S. Embassy- Dakar, unclassified telegram no. 3552.}
Seychelles

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

On September 28, 1999, Seychelles became the first country to ratify ILO Convention 182 on the elimination of the worst forms of child labor. The Government of the Seychelles implemented major education reform programs in 1990 and 1999, which were aimed in part at improving access to and quality of primary education through enhanced teacher training standards, improved physical facilities, and guaranteed free education for all. The Division of Social Affairs in the Ministry of Social Affairs and Manpower Development works to protect children’s rights. The National Commission for Child Protection, established in 1996, is responsible for overall child protection policies, and the National Council for Children is the organization responsible for overall policymaking on child rights.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Seychelles are unavailable, and information is not available on the incidence and nature of child labor. Education is compulsory for 10 years and free through secondary school. In 1999, the gross primary enrollment rate was 100.8 percent and the net primary enrollment rate was 99.9 percent. Attendance rates are not available for Seychelles. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

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3213 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The Constitution sets the minimum age for employment at 15 years, with exceptions for children employed part time in light work that is not harmful to their health, morals or education. Violations of the minimum age regulation are punishable by a fine of SCR 6,000 (USD 1,119). An amendment to the Employment of Young Persons and Children Act of 1981 specifically prohibits children under 18 from working in hotels, restaurants and shops. Forced or bonded labor is prohibited by law. Article 138(b) of the Penal Code prohibits the procuring of any woman or girl for purposes of prostitution. The Ministry of Employment and Social Services is responsible for enforcing child labor laws and investigating child labor abuses.

In 2001, there were no reported cases of child labor requiring investigation by the Ministry of Employment and Social Services, no known cases of forced or bonded labor by children, and no reports of trafficking in persons to, from, or within the country. A Family Tribunal composed of 18 members hears and decides all cases relating to the care and custody of children, save paternity cases. Only 42 cases of child sex abuse were reported in 2001, and there are concerns that the police fails to vigorously investigate charges of child abuse.


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3219 Ibid., 571-72, Sections 6c, 6d, 6f.

3220 Ibid., 570-71, Section 5.

3221 Ibid.

Sierra Leone

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The African Development Bank and the Islamic Development Bank are assisting Sierra Leone to construct 600 new primary schools and furnish them with textbooks, furniture and other needed equipment. The World Bank has announced a USD 20 million program to help Sierra Leone’s schools meet basic standards, develop partnerships between government, communities and schools, and build up the capacity of the Ministry of Youth Education and Sports to deliver educational services. The Minister of Education, Science and Technology has stated that the national government will also pay the fees for the National Primary School Exams and the Basic Education Certificate Education exams, and has pledged to reduce the cost of textbooks by 60 percent. UNICEF is engaged in projects to renovate schools, distribute teaching material and equipment, retrain teachers, and promote girls’ education.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 72 percent of children ages 5 to 14 years in Sierra Leone were working. Teenage prostitution has reportedly become a significant problem as a result of


3225 Big Ben, “Science and Technology Minister.”


3227 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. The survey estimated that 2 percent of children between 5 and 14 perform paid work, while 48 percent of children in Sierra Leone perform unpaid work for someone other than a household member. Government of Sierra Leone, The Status of Women and Children in Sierra Leone: A Household Survey Report (MICS-2), November 2000, 60; available from http://www.childinfo.org/MICS2/newreports/sierraleone/sierraleone.PDF. In 2000, the ILO estimated that 13.9 percent of children between the ages of 10 and 14 were working in Sierra Leone. See World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002. Most of this is domestic work such as cooking, shopping, cleaning, washing clothes, fetching water, and caring for children. See Government of Sierra Leone, The Status of Women and Children in Sierra Leone, 14.


Over 5,000 children served on both sides of Sierra Leone’s 10-year civil war.\footnote{3230}{In 2000, the ILO estimated that 5,400 children served as soldiers. See “Sierra Leone: The Terrible Price of Poverty and Unemployment,” \textit{World of Work} 33 (February 2000), [cited October 17, 2001]; available from http://www.ilo.org/public/english/bureau/inf/magazine/33/sleone.htm. Human rights groups estimate that 4,500-10,000 children under 16 years of age were forcibly abducted into military service during the war. See Douglas Farah, “Children Forced to Kill,” \textit{Washington Post} (Washington, D.C.), April 10, 2000. See also U.S. Department of State, \textit{Country Reports- 2001: Sierra Leone}, 584-86, Section 6c.}

Between July 1999 and January 2002, 5,596 of the 45,844 ex-combatants demobilized were children.\footnote{3231}{Government of Sierra Leone, Letter of Intent to the International Monetary Fund, February 12, 2002.}

Most child soldiers served the rebel Revolutionary United Front (RUF) and other military groups, which forced children into their ranks and made them serve as soldiers, as sexual slaves, or diamonds miners.\footnote{3232}{Rebel forces continue to kidnap and conscript children to augment their armies, though the number of cases is believed to be declining.\footnote{3233}{UNICEF, \textit{UNICEF Encouraged by the Release Today of 150 Child Soldiers in Sierra Leone}, [press release] 2001 [cited October 17, 2001]; available from http://www.unicef.org/newsline/01prjune4cs.htm.}}

\footnote{3234}{Many of the former child combatants suffer from poor health, AIDS, and drug addiction. See “Sierra Leone: The Terrible Price.”}

\footnote{3235}{See “Sierra Leone: The Terrible Price.”}

\footnote{3236}{Farah, “Children Forced to Kill.”}

\footnote{3237}{Ibid.}

Child soldiers forced into military service by the RUF were required to engage in combat, massacres and other acts of brutality.\footnote{3238}{Ibid.}

In May 2001, following reconciliation talks between the Government of Sierra Leone and the RUF, the RUF began to release child soldiers,\footnote{3239}{Ibid.} though some may remain in captivity.\footnote{3240}{Ibid.}

Evidence suggests that the pro-government militia, the Civil Defense Force, continued to accept some children as volunteer soldiers.\footnote{3241}{Ibid.}

Rebel forces continue to kidnap and conscript children to augment their armies, though the number of cases is believed to be declining.\footnote{3242}{Ibid.}

In some cases, rebel fighters compelled these children to commit atrocities involving family members.\footnote{3243}{Ibid.} The rebels reportedly released a disproportionate numbers of boys, indicating that many girls may continue to be held as sex slaves.\footnote{3244}{Ibid.}
The law requires mandatory primary school education, but a shortage of schools has made implementation impossible.\textsuperscript{3240} Even before the war, the educational system was capable of serving only 45 percent of primary school-age children.\textsuperscript{3241} According to the IMF, the civil war resulted in the destruction of 1,270 primary schools. According to UNICEF, 67 percent of all school age children are currently out of school.\textsuperscript{3242} The Government of Sierra Leone has introduced free primary education.\textsuperscript{3243} In 1996, the gross primary enrollment rate was 51.7.\textsuperscript{3244} Primary school attendance rates are unavailable for Sierra Leone. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3245}

\textbf{Child Labor Laws and Enforcement}

The minimum age for employment in Sierra Leone is 18 years, although children between the ages of 12 and 18 years may be employed in some non-hazardous occupations with the consent of their parents. The law is not enforced in practice, as there is no government agency charged with enforcement.\textsuperscript{3246} The Constitution prohibits forced and bonded labor, including that performed by children. Under the Chiefdom’s Council Act, however, individual chiefs may impose compulsory labor and may require village members to work to improve common areas.\textsuperscript{3247} This practice exists only in rural areas.\textsuperscript{3248}

The Government of Sierra Leone has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{3249}

\begin{itemize}
\item \textsuperscript{3240} Ibid. See also U.S. Committee for Refugees, \textit{Upheaval in Liberia /Repatriation to Sierra Leone: Findings and Recommendations}, ReliefWeb, 2002, [cited December 18, 2002]; available from http://www.reliefweb.int/w/rwb.nsf/6686f45896f15dbc852567ae00530132/00ae14f14bee696485256c02005a9794?OpenDocument.
\item \textsuperscript{3241} UNICEF, \textit{Girls’ Education in Sierra Leone}.
\item \textsuperscript{3243} President and Commander-in-Chief of the Republic of Sierra Leone Armed Forces His Excellency Alhaji Dr. Ahmad Tejan Kabbah, Inaugural Address On the Occasion of the State Opening of the First Session of the First Parliament of the Third Republic, July 12, 2002, [cited December 18, 2002]; available from http://www.sierra-leone.org/kabbah071202.html. See also Government of Sierra Leone, Letter of Intent and Memorandum of Economic and Financial Policies to the International Monetary Fund, August 12, 2002.
\item \textsuperscript{3244} World Bank, \textit{World Development Indicators} 2002.
\item \textsuperscript{3245} For a more detailed description on the relationship between education statistics and work, see the preface to this report.
\item \textsuperscript{3246} U.S. Department of State, \textit{Country Reports- 2001: Sierra Leone}, 584-86, Section 6d.
\item \textsuperscript{3247} Ibid., 584-86, Section 6c.
\item \textsuperscript{3248} Ibid.
\item \textsuperscript{3249} ILO, \textit{Ratifications by Country}, in ILOLEX, [database online], [cited December 18, 2002]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.
\end{itemize}
Slovak Republic

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of the Slovak Republic has established a Committee on the Rights of the Child and created departments within its Ministries of Education and Social Affairs to protect children’s rights. In collaboration with UNESCO, the government has developed an Education for All Program, sponsored a media campaign to encourage school attendance, and developed a preschool program to teach Roma children the Slovak language. The UN International Center for Crime Prevention has funded a project on trafficking in persons that supports strengthening the criminal justice response, as well as providing protection and support to victims of trafficking. The European Community’s Phare Program has funded the project “Improvement of the Situation of the Roma in the Slovak Republic,” which includes an education component geared at improving integration of Roma children in primary school.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in the Slovak Republic are unavailable. Trafficking of girls for the purpose of prostitution is a problem, and Slovakia is a country of origin, transit and a destination country for such victims of trafficking. The Committee on the Rights of the Child has expressed concerns over several issues related to children. In particular, the transit of trafficked children through Slovakia for the purpose of pornography, prostitution and sex tourism has drawn attention to the need for protecting

3252 U.S. Embassy- Bratislava, unclassified telegram no. 897.
Insufficient data and awareness of the phenomenon of the commercial sexual exploitation of children persist.\textsuperscript{3258}

Education is free and compulsory. The Education Act of 1994 established a nine-year compulsory school attendance. In 1998, the law was amended and a gradual change to 10 years was initiated.\textsuperscript{3259} In 1998, the gross primary enrollment rate was 101 percent.\textsuperscript{3260} Primary school attendance rates are unavailable for the Slovak Republic. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3261} Although official statistics are unavailable, it is believed that fewer Roma than Slovak children attend primary school.\textsuperscript{3262} Roma children are also disproportionately placed in special schools for the mentally disabled, often because they lack sufficient knowledge of the Slovak language.\textsuperscript{3263}

\textbf{Child Labor Laws and Enforcement}

The Labor Code sets the minimum age for employment at 15 years. Children under the age of 15 may perform light work in cultural or artistic performances, sports events, and advertising activities as long as the work does not affect their health, safety, development, or full-time schooling. Permission to engage in light work may be allowed by the labor inspectorate with the agreement of a health protection body.\textsuperscript{3264} Children under the age of 16 years may not work underground or perform work that is inappropriate for their age or detrimental to their health.\textsuperscript{3265} Children under 16 may not work more than 30 hours per week, and children over age 16 are limited to 37.5 hours per week.\textsuperscript{3266}

\textsuperscript{3257} Russian and Ukrainian girls are reportedly vulnerable to trafficking through Slovakia for the purpose of commercial sexual exploitation. See UN Convention on the Rights of the Child, Concluding Observations of the Committee on the Rights of the Child: Slovakia, CRC/C/15/Add.140, United Nations, Geneva, October 23, 2000, para. 49.

\textsuperscript{3258} Ibid., para. 49-50.


\textsuperscript{3260} Net primary enrollment rates are not available. See World Bank, \textit{World Development Indicators 2002}.

\textsuperscript{3261} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{3262} U.S. Embassy- Bratislava, unclassified telegram no. 897.

\textsuperscript{3263} This claim was being investigated in 2001 by the Ministry of Education. The Roma constitute the second largest ethnic minority in the Slovak Republic after Hungarians. U.S. Department of State, \textit{Country Reports- 2001: Slovak Republic}, 1770-75, Section 5.


\textsuperscript{3265} Ibid., Part 7, Article 175.

\textsuperscript{3266} Ibid., Part 3, Article 85.
The Criminal Code prohibits the sale and trafficking of women, and these crimes can be penalized more severely when the victim is under the age of 18. A person convicted of selling a child under the age of 15 for the purpose of prostitution can receive a penalty of up to 12 years imprisonment or by a fine. Between January and September 2002, there were 32 convictions for trafficking in persons in the Slovak Republic. The Constitution prohibits forced labor.

The inspection section of the Ministry of Labor enforces the country’s child labor laws. Child labor complaints are first received and investigated by the Ministry’s district inspection units. If a violation of a child labor law is found to have occurred, the case is turned over to the national inspection unit. The government provides specific training to its inspectors on child labor laws and has published and distributed fliers explaining child labor laws and dangers and risks involved in employing minors. In 1997, a special department was established in the Slovak Police Corps that deals specifically with crimes committed against children and juveniles, including commercial sexual exploitation.


[3269] Ibid., Article 204.


[3273] Ibid.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Solomon Islands is implementing a National Education Master Plan for 1999-2010 that includes provisions to improve the quality and relevance of education. In 2000, the ILO estimated that 24.2 percent of children ages 10 to 14 years in the Solomon Islands were working. There are reports of commercial sexual exploitation, but information on the extent of the problem is not available. In the 1998 conflict between the dominant Malaitans and the Guadalcanalese, the militant Guadalcanalese Isatabu Freedom Movement (IFM) reportedly included about 100 child soldiers aged 12 to 17 in its ranks.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 24.2 percent of children ages 10 to 14 years in the Solomon Islands were working. There are reports of commercial sexual exploitation, but information on the extent of the problem is not available. In the 1998 conflict between the dominant Malaitans and the Guadalcanalese, the militant Guadalcanalese Isatabu Freedom Movement (IFM) reportedly included about 100 child soldiers aged 12 to 17 in its ranks.

Education in the Solomon Islands is not compulsory, and school fees are reported to be very high in relation to local income. In 1996, the gross primary enrollment rate was 96.9 percent. However, other education data show that only 60 percent of school-age children have access to primary education. Primary school attendance rates are unavailable for the Solomon Islands. While enrollment rates indicate a level of commitment to education, they do not always indicate a level of commitment to education, they do not always

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3282 Net primary enrollment rates are unavailable for the Solomon Islands. See World Bank, World Development Indicators 2002.

reflect children’s participation in school.\textsuperscript{3284} The state of education is reported to have worsened in recent years, due to deteriorating infrastructure, a lack of financial resources, and a failure of the government to pay teachers.\textsuperscript{3285}

**Child Labor Laws and Enforcement**

Children under the age of 12 are prohibited from heavy work, but they may participate in light agricultural or domestic labor (work performed in the company of their parents).\textsuperscript{3286} Children under the age of 15 are prohibited from working in industry or on ships, and children under the age of 18 may not work underground or in mines.\textsuperscript{3287} The Constitution prohibits slavery and forced labor.\textsuperscript{3288} The procurement of girls under 18 years of age for the purposes of prostitution is prohibited under the Penal Code, and is punishable with a maximum penalty of two years imprisonment.\textsuperscript{3289} There are no specific provisions criminalizing trafficking in persons.\textsuperscript{3290}

The Labor Division of the Ministry of Commerce, Trade, and Industry is responsible for enforcing child labor laws,\textsuperscript{3291} but information on the effectiveness of this division and other enforcement measures is not available.

The Government of the Solomon Islands has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{3292}

\begin{footnotesize}
\footnotesize
3284 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
3286 Ibid., 1182-83, Section 6d.
3289 ECPAT International, *Solomon Islands*.
3290 Ibid.
\end{footnotesize}
Somalia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Somalia has no national government and therefore no national policy or programs on child labor or education. Since 1996 the international effort to improve education in Somalia has been coordinated by the Education Sectoral Committee of the Somalia Aid Coordination Body (SACB), made up of UN agencies, donors, and international NGOs. The SACB has emphasized as its major goals improving access to education, improving learning conditions, enhancing teacher training, and creating a financially viable management capacity. UNICEF provides in-service training of teachers, develops curricula, and supplies textbooks and other necessary educational material. UNICEF, UNESCO and some NGOs have also distributed sets of textbooks and other instructional materials to a small number of Koranic schools in Somalia and have created a program to try to make Koranic schools supplement or substitute for formal primary education. In 1999, the Somaliland authority drafted guidelines for its comprehensive education policy; however, no action had been taken on the policy by the end of 2001.

3293 The Transitional National Government, based in Mogadishu, represents Somalia in the United Nations and other international organizations. It has yet to establish its authority over most of the country and has little control over most government services, which are administered by provincial governments, if at all. See U.S. Department of State, Background Note: Somalia, April 2002, [cited September 19, 2002]; available from http://www.state.gov/r/pa/ei/bgn/2863.htm. See also UN Somalia, Somalia History, United Nations, [cited September 19, 2002]; available from http://www.unsomalia.org/infocenter/history.htm.


Incidence and Nature of Child Labor

In 1999, UNICEF estimated that 41.9 percent of children ages 5 to 14 years were working in Somalia.\textsuperscript{3299} Children are engaged in herding, agriculture and domestic labor.\textsuperscript{3300} In addition, children under age 15 have been recruited by militias, with boys as young as 10 years old serving as bodyguards for faction leaders.\textsuperscript{3301} There also are reports of Somali children being trafficked for the purpose of forced labor.\textsuperscript{3302}

Primary education is compulsory between the ages of 6 and 14 years.\textsuperscript{3303} The Transitional National Charter guarantees a free basic education up to secondary school;\textsuperscript{3304} however, 62 percent of schools in Somalia require families to pay fees, averaging USD 15.60 per year for each child.\textsuperscript{3305} In addition, many schools lack textbooks and running water.\textsuperscript{3306} In 1999, the gross primary enrollment rate was 9 percent, with 11.8 percent for boys and 6.3 percent for girls.\textsuperscript{3307} In 1999 UNICEF estimated that 58.4 percent of primary school-age children attended school, and 72.5 percent of children who had entered first grade actually reached the fifth grade.\textsuperscript{3308} Also according to UNICEF, only an estimated 10 percent of children aged 6 to 14 have access to formal

\begin{itemize}
\item Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Somalia, \textit{Multiple Indicator Cluster Survey 2 (MICS2)}, UNICEF, [cited December 17, 2002]; available from http://www.ucw-project.org. See also UNICEF, \textit{Somalia: List of Tables}, [online] [cited December 17, 2002]; available from http://www.childinfo.org/MICS2/natlMICSrepz/Somalia/TablesFinal150101.pdf.
\item Ibid.
\item Ibid.
\item \textit{Transitional National Charter}, Article 14, Section 3.
\item UNESCO, \textit{EFA 2000 Assessment: Somalia}.
\item The enrollment figures came from responses to questionnaires for UNICEF’s 1998-99 school survey data. In this study UNESCO defines a primary school as one for children ages 6 to 14. See UNESCO, \textit{EFA 2000 Assessment: Somalia}.
\end{itemize}
schooling. Many students attend Koranic schools, though these schools do not provide broad-based education.

**Child Labor Laws and Enforcement**

Somalia has no national government and has no means for enforcing labor laws. Somalia is not a member of the ILO and has therefore not ratified ILO Convention 138 or ILO Convention 182.

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3310 *Emergency Updates- Somalia*, Save the Children- UK, 2002 [cited September 12, 2002]; available from http://savethechildren.org.uk/emer_updates/Somalia.html. Two studies conducted by UNICEF in the late 1990s found that 59 percent of the children in the North West zones and 39 percent of the children in the North East zone attended Koranic school for two to two and one-half hours per day, usually for up to two years, between the ages of 4 and 10. See UNESCO, *EFA 2000 Assessment: Somalia*.

3311 U.S. Department of State, *Background Note: Somalia*. See also UN Somalia, *Somalia History*.

South Africa

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of South Africa has been a member of ILO-IPEC since 1997. In 1998, in response to a request from the South African Department of Labor (SADOL), ILO-IPEC began a program to support SADOL and Statistics South Africa with funding from USDOL to implement a comprehensive national survey on the nature and extent of child labor in South Africa. In 1999, the survey was conducted with technical assistance from ILO-IPEC’s SIMPOC. ILO-IPEC, with USDOL funding, is also supporting government efforts to raise awareness on the issue of child labor and draft a policy paper to combat exploitative child labor.

In 1998, SADOL facilitated the establishment of a national stakeholder forum known as the Child Labor Intersectoral Group (CLIG) that includes participation from the government, NGOs, trade unions, employers organizations, and international agencies. The CLIG coordinates services provided by the government and NGOs, raises awareness about child labor and the enforcement of child labor laws, and trains labor inspectors. The CLIG adopted the South African Child Labor Action Program, which was developed in February 1998 and calls for the withdrawal of children from child labor and their integration into formal education. The Department of Welfare is a member of the CLIG and administers social safety net programs that help prevent children from entering the workforce. The Minister of Welfare also set up a task force to

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3317 Before and after promulgating the Basic Conditions of Employment Act, the government coordinated ad hoc meetings with stakeholders involved in child labor issues. The CLIG formally developed from these ad hoc meetings. See Government of South Africa, Implementation of the Convention on the Rights of the Child: South Africa’s Supplement to the Initial Country Report, January 2000, 56-57. SADOL convenes the CLIG, and there are 10 CLIG offices located in the provinces. See Fatima Bayat, South Africa Director of Minimum Standards, interview with USDOL official, July 26, 2000.

3318 South Africa Department of Social Services and Population Development, Network Against Child Labour (NACL): Background (Documents to be discussed at the Meeting of 17 January 2000) (Johannesburg: 2000).

3319 U.S. Consulate- Johannesburg, unclassified telegram no. 0655.

develop a plan of action against the sexual exploitation of children,\textsuperscript{3321} and the Government of South Africa created training for the police and judiciary on the commercial sexual exploitation of children.\textsuperscript{3322} The Department of Labor has also included modules on child labor as part of its training initiatives for labor inspectors.\textsuperscript{3323} In 2001, South Africa’s border police incorporated within their strategic plan the protection of women and children from trafficking.\textsuperscript{3324} A special Trafficking Unit also has been established at the Johannesburg airport.\textsuperscript{3325}

The Network Against Child Labor (NACL) was established with the aim of ending the economic labor exploitation of children through awareness raising, advocacy, policymaking, research, networking, and legal and intersectoral interventions.\textsuperscript{3326} Other NGOs work with specialized child protection units of the police to remove children from the streets and provide them with a safe, nonexploitative environment.\textsuperscript{3327}

The Government of South Africa has sought to address issues of inequity in its educational system by allocating more resources to the most deprived schools in its provinces and to predominantly black schools.\textsuperscript{3328} The National Curriculum 2005 Framework helps to bridge the gap in educational opportunities between privileged and underprivileged children by providing learning support materials to schools in a more equitable fashion, and by standardizing the content of training courses for teachers in all districts.\textsuperscript{3329}

\begin{itemize}
\item \textsuperscript{3321} U.S. Consulate- Johannesburg, unclassified telegram no. 0655.
\item \textsuperscript{3323} In his speech, the Minister of Labor also noted that in addition to the Department of Labor, South Africa’s Departments of Education, Social Development, Justice, the South Africa Police Service, and the Office of the Rights of the Child in the Presidency, play roles in addressing child labor in the country. The Honorable Minister of Labour Mr. M.M. Mdladlana, Speech at the Launch of the International Labour Organization’s Third Global Report on a Future Without Child Labour, May 6, 2002, [cited September 17, 2002]; available from http://www.labour.gov.za/docs/sp/2002/may/06_mdladlana.htm.
\item \textsuperscript{3324} U.S. Department of State, \textit{Country Reports- 2001: South Africa}, 625-29, Section 6f.
\item \textsuperscript{3325} U.S. Department of State official, electronic communication to USDOL official, January 29, 2003.
\item \textsuperscript{3326} South Africa Department of Social Services and Population Development, \textit{Network Against Child Labour}.
\item \textsuperscript{3327} U.S. Consulate- Johannesburg, unclassified telegram no. 0655.
\item \textsuperscript{3328} In 1998, the government announced new funding directives to further these goals. These included new guidelines that required education departments to dedicate 60 percent of non-personnel and non-capital recurrent expenditures to the 40 percent of schools in their provinces that were in greatest need. In 1999-2000, the estimated total expenditure totaled approximately 21 percent of the government’s total budget and 6.6 percent of GDP. See Government of South Africa- Department of Education, \textit{Education for All: The South African Assessment Report}, Pretoria, March 2000, 26, 27, 32. See also U.S. Department of State, \textit{Country Reports- 2001: South Africa}, 618-25, Section 5.
\end{itemize}
Incidence and Nature of Child Labor

In 1999, a child labor survey conducted by the South Africa Statistical Agency, in cooperation with ILO-IPEC, estimated that 36 percent of children ages 5 to 17 years in South Africa were working. Child labor occurs most often in the rural agricultural sector and the informal economy. Children work in commercial agriculture and on subsistence farms, as well as on small farms planting and harvesting vegetables, picking and packing fruit, and cutting flowers. Children are also found working as domestic servants in rural areas, especially on farms. Many of these children come from migrant populations. In urban areas, children work as street hawkers, especially around taxi stands and where public transportation is used. There are reports that commercial sexual exploitation of children is growing. As South Africa becomes an increasingly popular tourist destination, it has been reported that cities like Cape Town and Durban are becoming destinations for tourists seeking sex with minors. South Africa is a destination country for trafficking in children for the purposes of prostitution.

The Constitution states that every child has a right to access basic education and may not be discriminated against on the basis of race. The South African Schools Act of 1996 makes school compulsory for children ages 6 to 14 and prohibits public schools from refusing admission to any child on the grounds of disability, language, learning difficulty or pregnancy. There are

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330 This statistic includes children who work at least three hours per week in economic activities (gathering wood and/or water; performing unpaid domestic work; or performing economic activities for pay, profit, or family gain), five hours per week in school labor (performing school maintenance, cleaning, or performing school improvement activities), and seven hours for household chores (working in the family home where the child’s parent, grandparent, or spouse is present). The most common economic activity in which children are engaged is fetching wood and/or water from outside the home. See “Key Findings: The Definitions and Extent of Child Labor,” in Surveys of Activities of Young People 1999.

331 U.S. Consulate- Johannesburg, unclassified telegram no. 0655.

332 Ibid.

333 Ibid.


337 See Constitution of the Republic of South Africa, Act 200 of 1993, (January 25, 1994), Section 29(1)(a). From 1948 until the abolition of apartheid and resulting change in government policy (including the passage of a new Constitution), a succession of apartheid-driven policies resulted in social inequalities along racial lines, and black South Africans particularly were deprived of opportunities to access basic social services, including education. See Government of South Africa- Department of Education, Education for All: South Africa, 6.

additional costs, however, such as school fees, transportation and school uniforms that prevent some children from attending school.\textsuperscript{3339} \textsuperscript{3340}

In 1997, the gross primary school enrollment rate was 96.5 percent, and the net primary enrollment rate was 87.1 percent.\textsuperscript{3341} The gross enrollment rate was higher for boys (98.3 percent) than for girls (86.3 percent), while the net enrollment rates for boys and girls was more even (87.9 percent and 86.3 percent, respectively).\textsuperscript{3342} Primary school attendance rates are unavailable for South Africa. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3343}

\section*{Child Labor Laws and Enforcement}

The Constitution provides the right of every child, defined as a person under 18 years of age, to be protected from exploitative labor practices. It also prohibits children from performing work or providing services that are inappropriate for a child’s age or that put at risk a child’s well-being.\textsuperscript{3344} The Basic Conditions of Employment Act (BCEA) sets the minimum age of work at 15 years and prohibits employment of children who are under legal minimum school-leaving age if that is 15 years or older.\textsuperscript{3345} For children over age 15 and no longer subject to compulsory schooling, the BCEA allows for the Minister of Labor to set additional prohibitions or conditions on their employment.\textsuperscript{3346} The maximum penalty for illegally employing a child, according to the BCEA, is three years of imprisonment.\textsuperscript{3347} The Constitution and the BCEA prohibit all forms of forced

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\item \textsuperscript{3339} U.S. Department of State official, electronic communication, January 29, 2003.
\item \textsuperscript{3340} U.S. Consulate- Johannesburg, \textit{unclassified telegram no. 1245}, October 2001. Many schools also continue to face significant infrastructure and other problems that have a negative impact on the quality of education. See Government of South Africa- Department of Education, \textit{Education for All: South Africa}, 38-39.
\item \textsuperscript{3342} Ibid.
\item \textsuperscript{3343} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\item \textsuperscript{3344} \textit{Constitution of the Republic of South Africa}, Section 28(1)(e), 28(1)(f), 28(1)(k).
\item \textsuperscript{3346} Republic of South Africa, “Basic Conditions of Employment Act,” Section 44(1 and 2).
\item \textsuperscript{3347} Ibid., Sections 43(1)(a)(b), 43(3), 44(2), 93.
\end{itemize}
The Constitution also prohibits the use of children under the age of 18 in armed conflicts.

Sexual Offences Act No. 23 of 1957 establishes prostitution as a criminal offense. In 1999, the Government of South Africa amended the Child Care Bill to include a more comprehensive prohibition on the commercial sexual exploitation of children than provided for under the Sexual Offences Act of 1957. The bill sets a penalty of up to 10 years imprisonment for the commercial sexual exploitation of a child. Trafficking is not specifically prohibited by law.

The BCEA establishes SADOL as the primary government entity responsible for monitoring compliance with and enforcing South Africa’s labor laws, including provisions on child labor. SADOL effectively enforces the minimum age law in the formal nonagricultural sector but less effectively in other sectors. Enforcement of laws against child sexual exploitation is reported to be lax, and there are problems in investigating, charging, and sentencing offenders.

Sri Lanka

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Sri Lanka became a member of ILO-IPEC in 1996. In 1998, the National Child Protection Authority (NCPA) was established under the Presidential Task Force as an oversight agency for the protection of children against any form of abuse. In cooperation with the Ministry of Labor, the NCPA conducts training programs for judicial, labor, probation, and police officers to educate authorities dealing with child labor issues. The NCPA is working in consultation with the ILO, UNICEF, Save the Children UK, other NGOs, and the media to address the problem of child labor. The Children’s Charter, enacted in 1992, is the primary policy document that promotes the rights of the child.

The Department of Census and Statistics conducted a child activity survey in 1999. A rapid assessment on the commercial sexual exploitation of children in Sri Lanka was carried out by the University of Ruhuna in 2000. The Department of Probation and Child Care Services provides protection to child victims of abuse and sexual exploitation and works with local NGOs that provide shelter. The NCPA established a rehabilitation center that provides vocational training and counseling services to child victims of the worst forms of child labor. Sri Lanka is part of an ILO-IPEC sub-regional project funded by USDOL to combat trafficking in South Asia. Other international and local NGOs are working towards eradicating child labor and


3361 The rapid assessment was funded by USDOL and technical assistance from ILO-IPEC’s SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. See Sarath W. Amarasinghe, Sri Lanka: The Commercial Sexual Exploitation of Children: A Rapid Assessment, ILO-IPEC, Geneva, February 2002.

3362 The Department comes under the Ministry of Social Services. See Ibid., 16.

3363 U.S. Embassy- Colombo, unclassified telegram no. 1719.

3364 The Bureau comes under the Ministry of Tourism. See Ibid.
sexual exploitation of children. The government collaborates with UNICEF and other NGOs in an effort to mitigate the impact of civil war on children.

### Incidence and Nature of Child Labor

In 1999, the child activity survey conducted by the Department of Census and Statistics estimated that 15 percent of children ages 5 to 14 years in Sri Lanka were working. According to the survey, the majority of working children are in the agricultural sector. Children are also found working in the manufacturing, hotel and trade industries, and working as craft workers, street peddlers, and domestic servants.

Child prostitution and trafficking of children for exploitative work exist in Sri Lanka. Children are primarily trafficked internally to work as domestic laborers and for the purposes of sexual exploitation, especially at tourist destinations. The government estimates that there are more than 2,000 active child prostitutes in the country, and private groups claim higher numbers. Reports indicate that children have been forcibly recruited to serve as child soldiers by the Liberation Tigers of Tamil Eelam (LTTE). NGOs claim boys and girls, some as young as 12

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3367 For purposes of this survey, working children were considered to be children who were paid employees, self-employed and those who work in a family enterprise without payment, excluding housekeeping activities. Approximately 7.5 percent (69,064) of the 926,038 working children ages 5 to 17 years were in full-time employment, while an estimated 67.1 percent (621,705) of working children combined work with school and household activity. See Department of Census and Statistics, *Summary of Findings*.

3368 Sixty-four percent of working children between 5 and 17 years were found in the agricultural sector. Children working in the agricultural sector include child employees on farms or unpaid child workers helping in family enterprises. See Ibid.

3369 Ibid.


3373 For nearly two decades, the Government of Sri Lanka has fought the LTTE, an armed group that is fighting for a separate ethnic Tamil state in the north and east of the island. Ibid. See also U.S. Embassy- Colombo, *unclassified telegram no. 1719*. 

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years old, are recruited by the LTTE; children that have disappeared are feared to have been conscripted. In September 2002, UNICEF aided 85 child recruits released by the LTTE to return to their parents or guardians.

Under the Compulsory Attendance of Children at School Regulation No. 1 of 1997, primary education is free and compulsory for children between the ages of 5 and 14. In 1998, the gross primary enrollment rate was 111 percent, and the net primary enrollment rate was 101.7 percent. Primary school attendance rates are unavailable for Sri Lanka. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

### Child Labor Laws and Enforcement

Gazette No. 1116/5 sets the minimum age for employment in domestic work at 14 years. The Shop and Office Employees Act of 1954 prohibits the employment of children under the age of 14 in shops and offices. The Employment of Women, Young Persons, and Children Act No. 47 of 1956, Article 58, prohibits work by children that may be injurious, the work of children under the age of 12 during school hours, and the night work of children under 18 years in industrial settings. In January 2000, Parliament repealed a regulation permitting domestic employment for children as young as 12 years old. Forced labor is prohibited under the Abolition of Slavery

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3377 Net enrollment rates greater than 100 percent indicate discrepancies between the estimates of school-age population and reported enrollment data. See World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002.

3378 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

3379 The law allows younger children to be employed by their parents or guardians for limited work in agriculture. See U.S. Embassy- Sri Lanka, letter to USDOL official, September 21, 2000.


3381 Persons in violation of this Act may be subject to fines of up to 1,000 rupees (USD 11), a period of imprisonment not to exceed six months, or some combination of both. Special provisions under this Act are applied to children working at sea. Except in the case of family work or apprenticeship programs, children are not allowed to work at sea. The Children and Young Persons Ordinance of 1956 also has similar provisions that address the employment of children. See Government of Sri Lanka, Employment of Women, Young Persons, and Children Act No. 47 of 1956, [cited October 28, 2002]; available from http://www.labour.gov.lk/documents/4_5_Chop.htm. For currency conversion, see FX Converter, [online] [cited December 17, 2002]; available from http://www.carosta.de/frames/convert.htm.

Ordinance of 1844. The Penal Code contains provisions prohibiting sexual violations against children, particularly with regard to child pornography, child prostitution, and the trafficking of children. The minimum age for recruitment into the armed forces is 18 years old.

The NCPA is the central agency for coordinating and monitoring action on the protection of children. The Sri Lankan Department of Labor, the Department of Probation and Child Care Services and the Police Department are responsible for the enforcement of child labor laws that are under their respective jurisdictions. In 2000, a total of 194 complaints on child labor violations were reported by the Department of Labor, of which 7 were prosecuted and 79 were dismissed because of lack of evidence or faulty grievances. In the first eight months of 2001, the Department of Labor reported 199 complaints, with 48 cases withdrawn and 40 prosecuted.


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3386 ILO, The ILO-Japan Asian Meeting. See also U.S. Embassy- Colombo, unclassified telegram no. 1719.
3389 Under this convention, the governments commit themselves to regional cooperation to address various aspects of prevention and criminalization of the trafficking of women and children for commercial sexual exploitation, and repatriation and rehabilitation of victims of trafficking. Each member state government has yet to ratify the convention. See South Asian Association for Regional Cooperation Secretariat, Eleventh SAARC Summit Held in Kathmandu, press release, January 9, 2002, [cited December 17, 2002]; available from http://www.saarc-sec.org/.
**Suriname**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Suriname recently launched its Policy Plan Concerning Children 2002-2006, which addresses the worst forms of child labor and child policy in general.\(^{3391}\) In 2001, the ILO initiated a project to identify, eliminate and prevent the worst forms of child labor in the English and Dutch-speaking Caribbean through the development of national and sub-regional capacities to implement ILO Convention 182. A survey to assess the child labor situation in Suriname began early in 2002.\(^{3392}\) The Government Bureau for Child Rights, which became operational in June 2001,\(^{3393}\) works with UNICEF to address the violation of children’s rights and to promote educational opportunities.\(^{3394}\) In 1998, the Government of Suriname conducted a broad survey in order to collect information on the extent, nature, conditions, and causes of child labor.\(^{3395}\)

The Justice Department has conducted an inventory of national legislation on child abuse and exploitation to ensure its conformity with the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.\(^{3396}\) The Bureau for Child Development, an office within the Foundation for Human Development, provides training to the Department of Justice, the police and health workers to sensitize them about child rights and child abuse. This exercise is now a standard component of police cadet training.\(^{3397}\) The Ministry of Social Affairs and Housing provides general child allowances, free medical care, and subsidies for school uniforms, shoes, and learning material for targeted low-income households.\(^{3398}\)

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3391 Department of Labour, Technological Development, and Environment, *Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labour*, October 11, 2002.


3397 Ibid.

Incidence and Nature of Child Labor

In 2000, the ILO reported that less than 1 percent of children ages 10 to 14 years in Suriname were working.\(^ {3399} \) Reports indicate that children work mainly in the informal sector and are engaged in street work as newspaper or fruit and snack vendors. Children also work in market places, supermarkets and other enterprises.\(^ {3400} \) Children are also reported to work in the mining sector.\(^ {3401} \) Child trafficking and sexual exploitation reportedly occur in Suriname.\(^ {3402} \) Increasing numbers of street children are working in the commercial sex industry in the capital city, Paramaribo,\(^ {3403} \) and girls are also exploited sexually in gold mining areas in the interior.\(^ {3404} \) In addition, there have been reported cases of pornography involving girls.\(^ {3405} \) Suriname is also a transit country for smuggling Chinese and Indian children to the United States, often to enter into bonded labor situations.\(^ {3406} \)

Under the Compulsory School Attendance Act, children in Suriname must be provided with the opportunity to attend school between ages 7 and 12.\(^ {3407} \) In 2000, the net primary attendance rate was 77.5 percent. School attendance in the rural interior, which was 61.2 percent, is significantly lower than in the rest of the country.\(^ {3408} \) The main problems in the education system are high levels

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3399 According to the ILO, 0.4 percent of children were working. World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.


of centralization, low quality, and high dropout and repetition rates.\textsuperscript{3409} In addition, language poses a key problem since school is taught in Dutch and many students do not speak Dutch at home.\textsuperscript{3410} Although the government covers the majority of primary school costs, parents must pay school registration fees and provide school supplies and uniforms, which are barriers to education for poor and large families.\textsuperscript{3411} Some school-age children are unable to attend school because they lack transportation, school facilities, or teachers.\textsuperscript{3412} Facing increasing economic pressures, children reportedly discontinue their education in order to work.\textsuperscript{3413}

**Child Labor Laws and Enforcement**

The minimum age for employment of children in Suriname is set at 14 years by the Labour Act.\textsuperscript{3414} Under Article 18 of the Labor Act, children who have reached age 12 may work if it is necessary for training or is specifically designed for children, does not require much physical or mental exertion, and is not dangerous.\textsuperscript{3415} Article 20 of the Labor Act prohibits children from performing night work or work that is dangerous to their health, life or morals.\textsuperscript{3416}

The Constitution prohibits forced labor.\textsuperscript{3417} Prostitution is illegal, but this law is not enforced.\textsuperscript{3418} The legal age for sexual consent is 14 years.\textsuperscript{3419}

The country’s Labor Inspection Office, in cooperation with the Juvenile Police Division, enforces child labor laws.\textsuperscript{3420} Although the government has enacted laws to combat child labor, the legal provisions for implementation of all child labor laws are not yet in place,\textsuperscript{3421} and enforcement remedies are not adequate, partly because there are too few labor inspectors and a penalty structure


\textsuperscript{3410} Ibid., 4.

\textsuperscript{3411} U.S. Embassy- Paramaribo, *unclassified telegram no. 810*.


\textsuperscript{3413} U.S. Embassy- Paramaribo, *unclassified telegram no. 977*.

\textsuperscript{3414} U.S. Embassy- Paramaribo, *unclassified telegram no. 810*. See also Department of Labour, Development, and Environment, *Request for Information*.

\textsuperscript{3415} Halfhide, letter, November 29, 2000.

\textsuperscript{3416} Ibid.


\textsuperscript{3418} U.S. Embassy- Paramaribo, *unclassified telegram no. 977*.

\textsuperscript{3419} The Asian Marriage Law sets the legal age for sexual consent for children of Asian descent at 13 years for girls and 15 years for boys. Ibid.

\textsuperscript{3420} U.S. Embassy- Paramaribo, *unclassified telegram no. 810*.

\textsuperscript{3421} According to government sources, the mechanisms for enforcing Articles 18 and 20 are not yet in place. See Halfhide, letter, November 29, 2000.
that fails to deter employers.\textsuperscript{3422} About 200 labor inspections are conducted in Suriname annually, but no penalties for child labor violations have been issued, only warnings.\textsuperscript{3423}

The Government of Suriname has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{3424}

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\textsuperscript{3422} U.S. Embassy- Paramaribo, \textit{unclassified telegram no. 810}.
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\textsuperscript{3423} Ibid.
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Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of the Kingdom of Swaziland announced a National Program of Action for children for 1993 to 2000. The program involved the formation of government committees on children’s issues. The program addressed most articles of the UN Convention on the Rights of the Child except free and compulsory education, which the government cannot ensure due to financial constraints. In 2002, the government established a Children’s Unit to promote and protect child rights. The unit collaborates with law enforcement on child protections issues, has developed guidelines for management of child abuse cases and has established professional networks through cooperation with the government’s legal branch and NGOs.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 12.3 percent of children ages 10 to 14 years were working. Children work in agriculture (particularly in the cotton-growing region), and as domestics, herders and street workers. There are reports that Mozambican girls have been involved in child prostitution in Swaziland.

Education is neither free nor compulsory in Swaziland. The Ministry of Education pays teacher salaries, while student fees and money raised from the community pay for costs such as building upkeep and teacher housing. In 1998, the gross primary school enrollment rate was 117.4

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3428 Statement at the United Nations Special Session on Children.


3431 U.S. Department of State, Country Reports- 2001: Swaziland, 666-68, Section 6d.

3432 Ibid., 665-66, Section 5.
percent, and the net primary school enrollment rate was 76.8 percent.\textsuperscript{3433} In 1996, Swaziland spent 8.6 percent of GDP per capita on primary education.\textsuperscript{3434} The government pays teachers’ salaries but families must pay for books, building upkeep and teacher housing.\textsuperscript{3435}

**Child Labor Laws and Enforcement**

The Employment Act of 1980 sets the minimum age of employment at 15 years for non-hazardous industrial work, although children may work in the commercial sector beginning at age 13.\textsuperscript{3436} Employment of children under 18 years is not permitted in mines, quarries or underground work, or in any sector that is dangerous to their safety or health.\textsuperscript{3437} The law allows children under 15 to work in family industrial enterprises or in technical schools under supervision, and limits children to six hours of work per day and 33 hours per week.\textsuperscript{3438} The Ministry of Labor is responsible for enforcing child labor laws, but its effectiveness is limited by a lack of personnel.\textsuperscript{3439}

The Criminal Code prohibits the procurement of a child for purposes of prostitution.\textsuperscript{3440} There is no law prohibiting trafficking in persons.\textsuperscript{3441}

The Government of Swaziland ratified ILO Convention 138 and ILO Convention 182 on October 23, 2002.\textsuperscript{3442}

\begin{itemize}
  \item World Bank, *World Development Indicators 2002*. In 1996 the government reported a 90.6 percent primary school attendance rate. See also Government of Swaziland, *Multiple Indicator Cluster Survey*, 11.
  \item Government of Swaziland, *Multiple Indicator Cluster Survey*.
  \item Ibid.
  \item U.S. Department of State, *Country Reports- 2001: Swaziland*, 666-68, Section 6d.
  \item Ibid.
  \item U.S. Department of State, *Country Reports- 2001: Swaziland*, 666-68, Section 6f.
\end{itemize}
The Government of Tanzania became a member of ILO-IPEC in 1994. Since 1995, ILO-IPEC has implemented 40 action programs in Tanzania to address child labor. A number of government ministries have established child labor units, including the Ministry of Labor, Youth Development and Sports; the Bureau of Statistics; and the Department of Information Services. ILO-IPEC has worked with the Ministry of Labor, Youth Development and Sports in providing training on child labor issues for labor inspectors to support them in reporting on the incidence of hazardous forms of child labor. The Ministry of Community Development, Women Affairs and Children, with support from ILO-IPEC, has provided training to community development workers to enhance their capacity to include child labor in district-level community development plans. The Ministry of Community Development, the Ministry of Health, the Ministry of Education and Culture, and various municipal authorities have also collaborated in an ILO-IPEC supported project run by the Kiota Women Health and Development Organization that focuses on prevention, withdrawal and rehabilitation of girls engaged in prostitution.

In 2000, Tanzania joined four other countries participating in an ILO-IPEC program, funded by USDOL, to remove children from exploitative work in commercial agriculture. The government in 2000 also conducted a child labor survey with technical assistance from ILO-IPEC’s SIMPOC. In June 2001, the Government of Tanzania announced that it would initiate an ILO-IPEC Time-Bound Program, a comprehensive, national level project to eliminate the worst forms of child labor over a defined period. The first phase of this project, with funding from USDOL, aims to eliminate child labor in the commercial sex sector, mining, abusive forms of domestic work, and

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3446 Ibid.


commercial agriculture in 11 districts by 2010. In September 2002, the Tanzanian Ministry of Labor, Youth Development and Sports and the Ministry of Education and Culture signed a letter of agreement with USDOL expressing support for the Time-Bound Program, noting the U.S. Government’s funding of grants to ILO-IPEC and the Education Development Center in Tanzania in support of this initiative. The Government of Tanzania has included elimination of child labor as an objective of its draft Poverty Reduction Strategy Plan (PRSP) and has included preparation of a child labor action plan in its PRSP workplan.

Tanzania’s Basic Education Master Plan (BEMP) aims to achieve universal access to basic education for children over the age of 7, and ensure that at least 80 percent of children complete primary education and are able to read and write by the age of 15. Under the BEMP, the government abolished school fees to promote children’s enrollment in primary school. With support from UNICEF, the Ministry of Education and Culture has launched a three-year program to help reintegrate children who have dropped out of the system into schools. The Ministry of Education has launched a Community Education Fund with World Bank support to improve the school infrastructure. Through the Primary Education Development Program, the World Bank is supporting Government of Tanzania efforts to improve education quality, enhance access to schooling and increase school retention at the primary level. In January 2002, the government introduced a grant to support the building and improvement of classrooms that amounts to the provision of USD 400 per school per year on average. In 1997, Tanzania joined ILO-IPEC’s

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3454 United Republic of Tanzania, letter to USDOL official, October 4, 2002.


3456 Ibid.


3458 United Republic of Tanzania, letter, October 4, 2002.
Action Against Child Labor through the Education and Training Project, which has mobilized teachers, educators and their organizations, and the general public to launch campaigns against child labor at the local and national levels.\textsuperscript{3459}

With funding from USAID, the Government of Tanzania in 1998 launched the Social Action Trust Fund (SA TF), which provides grants to community groups and NGOs that work with victims of HIV/AIDS and their families. SATF grants have provided assistance to 13,525 AIDS orphans in 14 regions, supporting primary and secondary education for children who were unable to pay school fees and uniform and book costs because of the loss of their parents to AIDS.\textsuperscript{3460} HIV/AIDS has led to many children being orphaned and left vulnerable to child labor because of the need to provide for themselves.\textsuperscript{3461}

Under its PRSP, Tanzania established an Education Fund to support children from poor families.\textsuperscript{3462} Tanzania has also identified education as a strategy for combating poverty under its Development Vision 2025 and its Poverty Eradication Strategy 2015. The country’s poverty eradication agenda includes ensuring all children the right to basic quality education.\textsuperscript{3463}

**Incidence and Nature of Child Labor**

In 2001, a child labor survey conducted by the Tanzania Ministry of Labor, Youth Development and Sports, in cooperation with ILO-IPEC, estimated that 4.1 million out of an estimated 10.2 million children ages 5 to 14 years in Tanzania were not in school, and that nearly 4 million of these children were working.\textsuperscript{3464} Approximately 27 percent of working children are ages 5 to 9, and 44 percent are ages 10 to 14.\textsuperscript{3465} In rural areas an estimated 34 percent of children work compared to 11 percent of children who work in urban areas.\textsuperscript{3466}


\textsuperscript{3461} ILO-IPEC, *Tanzania: Focusing on the Worst Forms of Child Labor*, 12.

\textsuperscript{3462} United Republic of Tanzania, *Poverty Reduction Strategy Paper*, 4, 43.

\textsuperscript{3463} UNESCO, EFA Country Report: Tanzania.

\textsuperscript{3464} This 4 million figure is based on a definition that includes housekeeping and economic activities by children. ILO-IPEC, *Supporting the Time-Bound Program*, 3. Statistics on the number of working children refer to “usual” work activities for children who worked during the 12-month reference period. Forty percent of children surveyed reported to have worked in the past seven days. See also Minja-Trupin and Trupin, *Time Bound Programme on the Worst Forms of Child Labour in Tanzania: Summary Report*, 6.

\textsuperscript{3465} Statistics on the number of working children refer to “current” work activities for children who worked during the last week of the reference period. The number of children who were currently working was 3.4 million. Statistics measuring “usual” work activities during the 12-month reference period by age or location are unavailable. See *Time-Bound Program: Tanzania* [CD-ROM].

\textsuperscript{3466} Ibid.
Children work on commercial tea, \(^{3467}\) coffee, \(^{3468}\) sugar cane, \(^{3469}\) sisal, \(^{3470}\) cloves, \(^{3471}\) and tobacco farms, \(^{3472}\) and in the production of corn, green algae (seaweed), pyrethrum, rubber, and wheat. \(^{3473}\) In mining regions, children work in surface and underground mines. \(^{3474}\) Children ages 7 to 13 years work in mine pits an average of 4 to 5 hours per day, while children ages 14 to 18 years work on average 7 hours per day. Children working in bars and restaurants near the mines work even longer hours, with children ages 10 to 13 years working an average of 14 hours per day. \(^{3475}\) In the informal sector, children are engaged in scavenging, fishing and fish processing, informal quarrying, and work in informal garages. \(^{3476}\) Children also work in domestic service. \(^{3477}\) Others work as barmaids, street vendors, car washers, shoe shiners, carpenters, and auto repair
mechanics. Girls as young as 9 years old reportedly engage in prostitution. Children from Kenya, Uganda and Rwanda have also been identified to be engaged in prostitution in Tanzania.

According to reports, children have been trafficked to work in mines, commercial agriculture and domestic service. Children are trafficked from rural areas for use in the commercial sex sector. Such children are often lured with false promises of work in urban areas as house girls, bar maids, and in hair salons. Children in the country’s large refugee population have been particularly vulnerable to being trafficked to work on commercial farms. Some have also been taken from refugee camps to be trained as child soldiers. Children, some as young as 7 years old, are trafficked from Tanzania to South Africa. Some girls who are trafficked to South Africa allegedly face conditions of debt bondage.

Education in Tanzania is compulsory for seven years, until children reach the age of 15, but families must pay for enrollment fees, books and uniforms. In 1998, the gross primary enrollment rate was 64.8 percent, and the net primary enrollment rate was 48.1 percent. In 1996, Tanzania’s gross primary attendance rate was 78.1 percent and its primary net attendance rate was 51.3 percent. Forty-eight percent of working children attend school.

**Child Labor Laws and Enforcement**

The Employment Ordinance of 1956 establishes 15 years as the minimum age for employment and prohibits children from working near machinery, or engaging in underground work. The law does

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3484 Ibid.


3489 ILO-IPEC, *Supporting the Time-Bound Program*.
not restrict children from working in agriculture. Under the Employment Ordinance, employers are obliged to maintain registers listing the age of workers, working conditions, the nature of employment, and commencement and termination dates. The Penal Code prohibits procuring a female under the age of 21 for prostitution. Tanzania’s Constitution prohibits forced or compulsory labor, but does not specifically refer to forced labor by children. Trafficking is not specifically prohibited by law.

Several government agencies have jurisdiction over areas related to child labor, but primary responsibility for enforcing the country’s child labor laws rests with the Ministry of Labor, Youth Development and Sports. A Child Labor Unit within the Ministry of Labor serves as a liaison between the various government ministries and stakeholders. It is responsible for administering child labor-related projects, conducting the child labor component of the labor inspector training, and gathering and disseminating data on child labor. At the community level, Child Labor Monitoring Committees have been established in areas with a high frequency of child labor. The committees are reported to be effective in their initial efforts to raise awareness, withdraw and rehabilitate children from child labor, protect working children, and provide support to families.


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3490 The Employment Ordinance states that any employer found to be in violation of child labor laws is subject to a fine of 2,000 to 4,000 shillings (USD 2.15 to 4.30) and/or 3 to 6 months of imprisonment. See Law Reform Commission of Tanzania, Report of the Commission on the Law Relating to Children in Tanzania, Dar es Salaam, 1997, 131-32, Cap. 366, Sections 77, 85. See also United Republic of Tanzania, letter, October 4, 2002.


3496 ILO-IPEC, Supporting the Time-Bound Program, 18.

3497 Ibid., 16.

Thailand

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1982, the Government of Thailand established the Committee on Child Labor Protection, composed of representatives from key government agencies, the police, and NGOs, to coordinate recommendations and measures related to the labor exploitation of children and child development. The Government of Thailand became one of the six original countries to participate in ILO-IPEC in 1992. In addition, the government has adopted national plans of action to address child labor, the commercial sexual exploitation of children, and has formulated a plan on trafficking of women and children. In December 1999, the Ministry of Labor and Social Welfare’s (MOLSW) Department of Public Welfare (DPW) created the National Secretariat on Trafficking in Women and Children in the Mekong Sub-Region.

In October 2002, the MOLSW was re-organized and renamed the Ministry of Labor (MOL). The MOL’s Department of Labor Protection and Welfare (DLPW) has established a child labor reporting hotline. The DLPW also facilitates the participation of communities in anti-child labor activities and has initiated a public awareness campaign that includes information about child labor laws. The MOL provides vocational training to improve children’s skills and prevent them

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3503 The “Memorandum of Understanding on Common Guidelines of Practices for Agencies concerned with Cases when Women and Children are Victims of Human Trafficking” was signed by numerous government agencies and NGOs in 1999. Ibid., 6-7.

The Department of Social Welfare has established shelters for street children, and the Department of Public Welfare, now titled the Department of Social Development and Welfare (DSDW), provides legal assistance to child victims, including counseling and rehabilitation services.

The government works with NGOs and international organizations on trafficking by providing shelters and social services, and by assisting in the repatriation of victims. Thailand is included in a three-year ILO-IPEC Sub-Regional Project in the Mekong, funded by the United Kingdom’s Department for International Development (DFID), to combat trafficking of women and children for exploitative labor. DSDW and IOM cooperate in assisting foreign trafficking victims in Thailand, and DSDW works with its counterpart agencies in both Laos and Cambodia to repatriate their nationals. The U.S. Department of State funds support a number of NGO and government efforts, particularly of the Ministry of Justice and DSDW, to combat trafficking through increasing public awareness, strengthening victim protection and improving the prosecution of traffickers.

The Education Reform Office was established in 2000 to manage broad reforms mandated under the National Education Act of 1999. These reforms included management decentralization and increased quality of education, with the aim of reaching universal access to 12 years of free

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3506 During the Asian financial crisis, the MOLSW provided free occupational training and small daily stipends to women and children who were unemployed because of the economic conditions. U.S. Embassy- Bangkok, unclassified telegram no. 6420, September 2000. See also U.S. Embassy- Bangkok, unclassified section 1 of 3, telegram no. 7225, June 1999.
3507 Royal Thai Embassy, facsimile communication to USDOL official, September 5, 2002. The government established “Woman and Child Labor Assistant Centers” in each province to oversee provincial concerns on child labor, and included the issue in school curricula. See Royal Thai Embassy, facsimile communication to USDOL official, September 30, 2002, 6.
3509 The project, which began in 2000 with a total budget of USD 4.4 million, also includes activities in China (Yunnan Province), Cambodia, Lao People’s Democratic Republic (PDR), and Vietnam. ILO-IPEC, ILO Mekong Sub-Regional Project to Combat Trafficking in Children and Women, Bangkok. In 1995, USDOL funded an ILO-IPEC program to prevent child prostitution in Thailand. See ILO-IPEC, Program to Prevent Child Labor and Forced Child Prostitution, Geneva, 1995.
education.  The Ministry of Education’s Department of Non-Formal Education provides basic education and vocational education to out-of-school children and the disadvantaged.  The Government of Thailand and NGOs support a number of innovative education initiatives. In 1999, UNICEF began a program to provide scholarships and raise awareness among school dropouts and their families to encourage children to return to school. In 1998, the government initiated an education program with funds from the Asian Development Bank in order to mitigate the effects of the Asian Financial Crisis on vulnerable children. A Ministry of Education program, initiated in 1994, provided a total of 145,000 scholarships through mid-2000 to disadvantaged girls, including those at risk of prostitution, in order to continue their secondary education, and supported the development of a targeted education module for at-risk girls.

### Incidence and Nature of Child Labor

In 2000, the ILO estimated that 12.2 percent of children ages 10 to 14 years in Thailand were working. Children work in the agriculture, construction, goods manufacturing, industrial,
Children also work in domestic service. Reports indicate that children are involved in the trafficking of drugs in Thailand, and are victims of commercial sexual exploitation. Thailand is a source, transit and destination country for the trafficking in persons, including girls. Domestic NGOs report that girls ages 12 to 18 are trafficked from Burma, Cambodia, China, and Laos for the purposes of commercial sexual exploitation. Children are also trafficked into Thailand to work as beggars, in domestic work or in industrial activities. Internal trafficking occurs, but reportedly is decreasing.

Several key provisions of the National Education Act of 1999 took full legal effect in 2002, including the extension of the compulsory education period to nine years of schooling, beginning at age 7, and extension of cost free schooling to 12 years. In 1998, the gross primary enrollment rate was 91.3 percent. The net primary enrollment rate was 76.9 percent, with 75.9 percent of girls enrolled as opposed to 78 percent of boys. Primary school attendance rates are unavailable for Thailand. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.
Child Labor Laws and Enforcement

Chapter Four of Thailand’s Labor Protection Act of 1998 sets the minimum age for employment at 15 years. Employers are required to notify labor inspectors if children under age 18 are hired, and the law permits children ages 15 to 18 to work only between the hours of 4 p.m. and 10 p.m. unless written permission from the Director-General is obtained. Children under age 18 may not be employed in hazardous work, which is defined by the law to include any work involving hazardous chemicals, harmful temperatures or noise levels, exposure to toxic micro-organisms or hazardous chemicals, the operation of heavy equipment, and work underground or underwater. The maximum penalties for violation of the child labor sections of the Labor Protection Act are up to one year of imprisonment and fines of up to 200,000 baht (USD 4,747).

The Prostitution Prevention and Suppression Act of 1996 prohibits all forms of prostitution and provides specific penalties for cases involving children under the age of 18. Individuals who engage in sexual activities with children ages 16 to 18 are subject to jail terms of up to 5 to 15 years and fines of 100,000 to 300,000 baht (USD 2,373 to 7,120). The range of penalties is nearly twice as much for those patronizing children ages 15 and under. Under Section 12, government officials who compel others to engage in commercial sexual exploitation face penalties of 15 to 20 years of imprisonment and/or substantial fines ranging between 300,000 and 400,000 baht (USD 7,120 to 9,494). If fraud or coercion on the part of the patron is involved, penalties also increase. Owners, managers, and supervisors of prostitution businesses or establishments, government administrative or police officials, as well as parents who knowingly permit their children to become engaged in prostitution, face steep fines and jail terms if found guilty of violating the terms of the Act. See Ibid., Sections 8-12. For currency conversion see FX Converter, available from http://www.carosta.de/frames/convert.htm.

The Prevention and Suppression of Trafficking in Women and Children Act of 1997 expands the list of activities that can be sanctioned under the law, extends legal protection to victims in other countries and provides for basic protection for victims. The Penal Code Amendment Act of 1997 also provides penalties for traffickers of children under the age of 18, regardless of nationality. The Money Laundering Act of 1999 allows authorities to confiscate the assets of persons who are either convicted of trafficking or work in prostitution. The Criminal Procedure Amendment Act of

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3533 Under Section 22 of the law, certain types of work related to agriculture, sea fishing and work in the home may have different protections than those contained in the Act. Ibid., Sections 22, 49-50. For currency conversion see FX Converter, [online] [cited August 30, 2002]; available from http://www.carosta.de/frames/convert.htm.


3535 Individuals who engage in sexual activities with children ages 16 to 18 are subject to jail terms of up to 5 to 15 years and fines of 100,000 to 300,000 baht (USD 2,373 to 7,120). The range of penalties is nearly twice as much for those patronizing children ages 15 and under. Under Section 12, government officials who compel others to engage in commercial sexual exploitation face penalties of 15 to 20 years of imprisonment and/or substantial fines ranging between 300,000 and 400,000 baht (USD 7,120 to 9,494). If fraud or coercion on the part of the patron is involved, penalties also increase. Owners, managers, and supervisors of prostitution businesses or establishments, government administrative or police officials, as well as parents who knowingly permit their children to become engaged in prostitution, face steep fines and jail terms if found guilty of violating the terms of the Act. See Ibid., Sections 8-12. For currency conversion see FX Converter, available from http://www.carosta.de/frames/convert.htm.

3536 Royal Thai Embassy, facsimile communication, September 5, 2002, 7.


1999 provides protection for child victims in the course of testifying in cases of sexual exploitation.\textsuperscript{3539}

Four government bodies are responsible for enforcing child labor laws: the Royal Thai Police, the Office of the Attorney General, the Ministry of Justice, and the MOL.\textsuperscript{3540} Both periodic and complaint-driven labor inspections are conducted, and inspecting officers have the right to remove child workers from businesses and place them in government custody before court decisions on the cases.\textsuperscript{3541} In general, the labor inspection system tends to be more reactive than proactive, with inspectors usually responding to public complaints or newspaper reports.\textsuperscript{3542} However, in 2002 Thailand’s Central Labor Court awarded almost USD 50,000 in back wages to 33 Burmese persons, 21 of whom were minors, who had been trafficked to a clothing factory to work under conditions of forced labor. Under the 1999 MOU on trafficking victims, the workers were permitted by government authorities to remain in Thailand for several months, enabling them to testify in the civil case. The victims were repatriated in July 2001.\textsuperscript{3543}

The Government of Thailand has not ratified ILO Convention 138, but ratified ILO Convention 182 on February 16, 2001.\textsuperscript{3544}

\textsuperscript{3539} Royal Thai Embassy, facsimile communication, September 5, 2002, 8.

\textsuperscript{3540} The MOL’s DLPW employs several specific enforcement tools to deal with child labor, such as regulations for inspection of establishments suspected of using child labor. U.S. Embassy- Bangkok, \textit{unclassified telegram no. 6420}.  

\textsuperscript{3541} Ibid.

\textsuperscript{3542} U.S. Department of State, \textit{Country Reports- 2001: Thailand}, 1195-99, Section 6d. The MOL tends to focus its inspection efforts on larger factories in an effort to reach the largest portion of the workforce, with relatively fewer inspections of smaller workplaces where child labor may more easily go unnoticed. See U.S. Embassy- Bangkok, \textit{unclassified telegram no. 6420}. Official corruption reportedly impedes enforcement of the laws. See U.S. Department of State, \textit{Trafficking in Persons Report: Thailand}.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Togo has been a member of ILO-IPEC since 2000. In March 1999, the government formulated a National Action Plan against child trafficking that focuses on gathering information, raising awareness at the community level and taking steps to enhance its institutional capabilities to combat trafficking. As a member of ECOWAS, Togo has committed itself to repatriate victims of trafficking and provide them with necessary social services, and to establish policies and programs to combat and prevent human trafficking. In June 2002, the Government of Togo signed an agreement with the U.S. Government to support the implementation of an education project that focuses on child trafficking victims.

In mid-2002, Togo began creating village-based vigilance committees that work to raise awareness of child trafficking in rural areas. In 2000, the government, in collaboration with UNICEF and NGOs, conducted awareness raising campaigns on forced labor and trafficking. The Government of Togo is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime to strengthen anti-trafficking efforts for women and children. UNODC is providing technical assistance in areas such as research and law enforcement training.

3546 Ibid.
3548 Togolese Ministry of Social Affairs, Letter of Intent between the U.S. Department of Labor and the Togolese Ministry of Social Affairs regarding the USDOL Child Labor Education Initiative, June 18, 2002.
In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Togo. As part of this strategy, U.S. missions in the region will focus U.S. Government resources on prosecuting traffickers, protecting and repatriating victims, and preventing new trafficking incidents through improved coordination among U.S. Government donors, greater coordination with international donors, engagement with and funding of regional and international organizations, and direct funding for host government or local NGOs.3553

Togo’s education goals are to make education more accessible, raise the quality and relevance of the curriculum, and strengthen vocational and non-formal education.3554 The government adopted a national education plan in 1995 that emphasizes meeting basic educational needs, improving the management of the education system and adapting the curriculum to the socio-economic environment.3555 A World Bank-funded project, implemented in 1996, focuses on increasing the number of qualified teachers and administrators, improving enrollment and retention rates, and making education more relevant to local needs.3556 The World Bank also supports programs designed to support the construction and repair of schools and the provision of textbooks to primary schools.3557 UNICEF is assisting Togo to raise the low attendance rates among girls through parent and teacher trainings.3558

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 26.8 percent of children ages 10 to 14 years in Togo were working.3559 Children are found working mainly in the informal sector, particularly in agriculture and petty trading.3560 Many children work as child domestics, some as young as 7 years old.3561

3555 Ibid.
3556 Ibid.
In remote parts of the country, a form of bonded labor occurs in the traditional practice known as *trokosi*, where young girls become slaves to religious shrines for offenses allegedly committed by a member of their family.\textsuperscript{3562} Abuse of the cultural practice of *Amegbonovei*, through which extended family relations help to place children (usually from rural areas) with families who agree to pay for the children’s education or provide them with a salary in exchange for domestic work, also contributes to the incidence of child trafficking. Often the intermediaries who arrange the placements abuse the children and rape the girls. These children are also sometimes mistreated by the families with whom they are placed.\textsuperscript{3563}

Apart from internal trafficking, children are trafficked from Togo to Côte d’Ivoire, Gabon, Nigeria, and other African countries, as well as to the Middle East, Asia and Europe, where they work in indentured or domestic servitude, as farm laborers or for commercial sexual exploitation.\textsuperscript{3564} According to government reports, approximately 350 Togolese children drowned in March 2001, when boats used for trafficking them from Nigeria to Gabon capsized.\textsuperscript{3565} Although there is no evidence of minors enlisted in the military, children under 18 are found doing menial work in military barracks.\textsuperscript{3566}

Education is free and compulsory for six years.\textsuperscript{3567} In 1998, the gross primary enrollment rate was 124.2 percent, and the net primary enrollment rate was 88.5 percent.\textsuperscript{3568} However, the gender disparity in net primary enrollment rates is significant: 98.6 percent of boys of primary school age versus only 78.3 percent of girls were enrolled in school.\textsuperscript{3569} The gross primary attendance rate for both sexes was 116.1 percent in 1998, and the net primary attendance rate was 69.5 percent.\textsuperscript{3570}


\textsuperscript{3565} U.S. Department of State, *Country Reports- 2001: Togo*, 704-06, Section 6f.


\textsuperscript{3568} World Bank, *World Development Indicators 2002*.

\textsuperscript{3569} Ibid.

The education system has suffered from teacher shortages, lower educational quality in rural areas and high repetition and dropout rates. In the northern part of the country, 41 percent of the primary school teachers are remunerated by the parents compared with only 17 percent in Lomé, where incomes are substantially higher.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age of employment in any enterprise at 14 years and a minimum age of 18 years for certain industrial and technical jobs. The Ministry of Labor enforces the law only in the urban, formal sector. In 2002, the Government of Togo adopted a comprehensive Children’s Code that provides a legal foundation for protecting children’s rights. In 2000, the government undertook efforts to revise the Apprenticeship Code, resulting in guidelines governing the length of the workday, working conditions and apprenticeship fees. Togolese law does not specifically prohibit forced or bonded labor by children or trafficking in persons. However, Article 78 of the Penal Code prohibits the corruption, abduction or transfer of children against the will of a child’s guardian. Foreign consulates based in Togo do not issue visas to minors without first consulting a social worker. Articles 91 to 94 of the Penal Code prohibit the solicitation and procurement of minors.

In September 2001, 68 Togolese children who had been smuggled out of Togo were flown back from Cameroon after their boat wrecked off the coast of Cameroon, and between January and August 2001, the Togolese frontier police intercepted 35 children at the border. In total, 83

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3574 Ibid.


3578 UN Committee on the Rights of the Child, *Consideration of Initial Reports: Summary Record of the 422nd Meeting: Togo*, 37.

3579 Ibid., para. 35.

3580 Ibid., para. 37.


Togolese victims of child trafficking were repatriated during 2001.\textsuperscript{3583} From January 2000 to February 2001, the government prosecuted 50 traffickers, resulting in sentences ranging from six months to six years, and including deferrals and amicable out-of-court settlements.\textsuperscript{3584}

The Government of Togo ratified ILO Convention 138 on March 16, 1984, and ILO Convention 182 on September 19, 2000.\textsuperscript{3585}

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Tonga

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Tonga has established goals to further improve the educational system through the Ministry of Education’s 1996 Strategic Plan. The plan calls for the establishment of universal access to quality basic education up to grade six, and plans to increase the compulsory school age to 17, or grade six. It also calls for strengthening the Ministry of Education and enhancing training, expanding and developing vocational and distance education and establishing formal pre-school programs. The Governments of Australia and New Zealand are assisting the government in improving its primary educational facilities.

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Tonga are unavailable. The U.S. State Department reported no known incidences of child labor in 2001.

Education is free and compulsory between the ages of 6 and 14, or until the completion of grade 6. In 1995, the gross primary enrollment rate was 122.2 percent, and the net primary enrollment rate was 95.3 percent. Primary school attendance rates are unavailable for Tonga. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Constitution prohibits slavery. Forced or bonded labor is also prohibited, and is not known to occur. The Criminal Code provides legal restrictions on acts of trafficking. Soliciting for


3589 According to the report, Tonga has been internationally recognized as having achieved universal primary education. UNESCO, *EFA Country Report: Tonga*, Part I, Section 3.0.


3591 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


prostitution, or profiting from prostitution, are both prohibited under the Criminal Code. Penalties for these offenses range from imprisonment for six months to two years, and in some cases, the whipping of males convicted a second time.\textsuperscript{3594} The Criminal Code also prohibits any person from procuring or attempting to procure any girl under the age of 21 for the purposes of unlawful sexual exploitation. The punishment for this offense is imprisonment for up to five years. The abduction of women and girls is also illegal under the Criminal Code, with penalties ranging from five to seven years imprisonment.\textsuperscript{3595}

The Government of Tonga is not a member of the ILO, and as such has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{3596}

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\item \textsuperscript{3595} Ibid., Articles 126, 28-29.
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Trinidad and Tobago

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Trinidad and Tobago developed a National Plan of Action that provided assistance to children in especially difficult circumstances. The government has also adopted an education policy that aims to promote secondary school attendance and improve educational opportunities.\(^{3597}\)

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 1.2 percent of children ages 5 to 14 years were engaged in paid work. Slightly more than one-half of the children in this age group were estimated to perform domestic work for less than 4 hours per day; less than 1 percent spent more than 4 hours per day on such tasks. Overall, 4.1 percent of children were estimated to be currently working.\(^{3598}\) Children are also engaged in agriculture, scavenging, loading, unloading and stocking goods, landscaping and gardening, car repair and washing, construction, fishing,\(^{3599}\) and begging.\(^{3600}\) Children also work as handymen, shop assistants,\(^{3601}\) or street vendors.\(^{3602}\) There have been reports of child prostitution and of children involved in drug trafficking.\(^{3603}\)

Primary education is free and compulsory between the ages of 6 and 12.\(^{3604}\) In 1998, the gross primary enrollment rate was 101.6 percent, and the net primary enrollment rate was 92.9 percent.\(^{3605}\) In 2000, 89.3 percent of primary school-age children were estimated to be attending

\(^{3597}\) U.S. Embassy- Port of Spain, unclassified telegram no. 2243, October 2002.

\(^{3598}\) Children who are currently working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Trinidad and Tobago, Multiple Indicator Cluster Survey (MICS) 2000 - Trinidad and Tobago, UNICEF, 2000, 36-37 [cited September 1, 2002]; available from http://www.childinfo.org/MICS2/newreports/trinidad/trinidad.htm. An ILO-IPEC rapid assessment in 2002 found that approximately 4.1 percent of children ages 5 to 14 years are currently engaged in paid or unpaid work on the island of Trinidad. See U.S. Embassy- Port of Spain, unclassified telegram no. 2243.

\(^{3599}\) U.S. Embassy- Port of Spain, unclassified telegram no. 2243.


\(^{3601}\) U.S. Embassy- Port of Spain, unclassified telegram no. 2243.

\(^{3602}\) U.S. Department of State, Country Reports- 2001: Trinidad and Tobago, 3055-57, Section 5. See also International Confederation of Free Trade Unions, Internationally-Recognised Core Labour Standards.

\(^{3603}\) U.S. Embassy- Port of Spain, unclassified telegram no. 1604, September 27, 2001.

\(^{3604}\) Ibid.

Parts of the public school system do not meet the needs of the school age population due to overcrowding, substandard physical facilities, and occasional classroom violence by gangs. The government has committed resources to building new facilities and expanding access to free education.  

**Child Labor Laws and Enforcement**

The minimum age for employment is set at 12 years. Children between the ages of 12 to 14 may work only in family businesses. Children under the age of 18 may work only during daylight hours, however, children ages 16 to 18 may work at night in sugar factories. There are no laws prohibiting trafficking, but the Criminal Code prohibits child prostitution. The use of children under the age of 16 in pornography is also prohibited.

The Ministry of Labor and Small and Micro-Enterprises and the Ministry of Social Development and Family Services are responsible for enforcing child labor provisions. Enforcement is weak because there are no established mechanisms for receiving, investigating, and addressing child labor complaints. The Ministry of Labor is seeking assistance from the ILO to strengthen enforcement mechanisms.

The Government of Trinidad and Tobago has not ratified ILO Convention 138 or ILO Convention 182.

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3608 U.S. Embassy- Port of Spain, *unclassified telegram no. 1604*. See also International Confederation of Free Trade Unions, *Internationally-Recognised Core Labour Standards*.


3610 Article 17 of the Criminal Code, as cited in U.S. Embassy- Port of Spain, *unclassified telegram no. 1604*.


3612 U.S. Embassy- Port of Spain, *unclassified telegram no. 1604*.

3613 U.S. Department of State, *Country Reports- 2001: Trinidad and Tobago*, 3055-57, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Tunisia established a multi-sectoral National Plan of Action for the Survival, Protection, and Development of the Child. The Ministry of Youth and Children, Ministry of Social Affairs, Ministry of Education and Sciences, and the National Institution for the Protection of Children were among the participants in the development of the plan.

In 2000, the World Bank approved a USD 99 million loan for an Education Quality Improvement Project designed to facilitate the Ministry of Education’s efforts to promote primary and secondary education. This project targets students at these levels who are at risk of dropping out of school or repeating classes. UNICEF is working with the government to implement educational projects, including gender-based initiatives, and promote children’s rights.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 2.1 percent of children ages 5 to 15 years in Tunisia were working. Slightly more boys than girls were involved in child labor, and the rate of working children in the rural areas was also higher than in urban areas. Approximately 71.4 percent of working children worked more than four hours per day, and over half worked during school hours, which was found to increase the risk of dropout from, or failure in, school. All working children were paid for their services, and nearly half of them spent their salaries on family necessities.

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3615 Ibid., 7-8.


3618 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Tunisia, *MICS Report: Tunisia*, 83.

3619 Ibid.

3620 Ibid., 90.
Children work as apprentices, domestic laborers, vendors and agricultural workers and during school vacations.\textsuperscript{3621}

Education is compulsory and free between the ages of 6 and 16.\textsuperscript{3622} In 2000, approximately 96 percent of six-year-old children were enrolled in school.\textsuperscript{3623} In 1998, the gross primary enrollment rate was 119.2 percent (115.7 percent for girls and 122.5 percent for boys) and the net primary enrollment rate was 97.5 percent.\textsuperscript{3624} In 2000, 94.4 percent of children between the ages of 6 and 12 attended school. Attendance in urban areas is higher than in rural areas (97.2 percent and 90.5 percent respectively).\textsuperscript{3625} The attendance rate for adolescents between the ages of 13 and 19 years was 66.1 percent.\textsuperscript{3626}

**Child Labor Laws and Enforcement**

The Labor Code of 1966 established the minimum age for labor at 16 years with a number of exceptions.\textsuperscript{3627} The age of 13 years is set for light agricultural, non-agricultural, and non-industrial work, provided that the work does not pose a health hazard or interfere with the child’s development or education.\textsuperscript{3628} Under the Labor Code, children may work as apprentices or through vocational training programs at age 14.\textsuperscript{3629} In addition, children under 16 years of age may work in family-run businesses as long as the work does not interfere with school or pose a threat to the child’s health.\textsuperscript{3630} The age of 18 years is established for hazardous work.\textsuperscript{3631} The hours that children below the age of 18 are permitted to work are regulated.\textsuperscript{3632} In 1995, the Government of Tunisia passed the Child Protection Code, which protects children under 18 years

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\textsuperscript{3625} Government of Tunisia, *MICS Report: Tunisia*, 69.

\textsuperscript{3626} Ibid., 70.


\textsuperscript{3628} Ibid., Articles 55-56.

\textsuperscript{3629} Ibid., Articles 52-53.

\textsuperscript{3630} Ibid., Article 54.

\textsuperscript{3631} Ibid., Article 58. This article prohibits work that is a danger to the health, safety, or morality of children, and authorizes the Ministry of Social Affairs to determine the jobs that fall in this category.

\textsuperscript{3632} Ibid., Article 65. Article 65 prohibits children under 14 years of age from working in nonagricultural jobs between 8 p.m. and 8 a.m. Article 66 prohibits children between 14 and 18 years of age from working in non-agricultural jobs from 10 p.m. to 6 a.m. For agricultural work, Article 74 states that children under 18 years must have fixed rest periods and cannot work between 10 p.m. and 5 a.m.
from abuse and exploitation, including participation in wars or armed conflicts, prostitution, and hazardous labor conditions. Labor inspectors from the Ministry of Social Affairs are responsible for enforcing child labor laws.


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Turkey

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Turkey has been a member of ILO-IPEC since 1992. The Ministry of Labor and Social Security (MLSS) established a Child Labor Unit (CLU) that chairs an interagency advisory committee, comprising representatives of government ministries, NGOs, universities, and other United Nations agencies. The CLU is also responsible for making and promoting child labor laws, launching new programs, and raising awareness with the public. Since 1992 there have been 101 action programs launched by ILO-IPEC in cooperation with the government in an effort to combat child labor. Eleven of these action programs are ongoing. The ILO-IPEC country program in Turkey has been extended until 2006. The CLU has contributed to the preparation of the child labor chapter in the Eighth Five-Year Development Plan of Turkey. This plan commits the government to respond to child labor and promote policies designed to combat child labor by increasing family income, providing social welfare, and reducing education costs for the poor.

The Apprenticeship Education Center of the Ministry of National Education (MONE), in conjunction with UNICEF, provides vocational training to 250,000 children working in the industrial sector.

The World Bank and UNICEF have coordinated a number of education programs with MONE. UNICEF conducted several projects aimed at promoting universal education, including a Basic Education Pilot Project from 1996-1998. In 2002, the World Bank approved a USD 300

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3636 Turkey was one of the six original member countries of ILO-IPEC. ILO-IPEC, All About IPEC: Programme Countries, [online] [cited August 22, 2002]; available from http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm.

3637 The Embassy of Turkey in Washington, D.C. submitted a report to USDOL. See Embassy of Turkey, The Implemented Programs and Measures Taken Against Child Labour in Turkey, Washington, D.C., 2001, 5-7.


3640 Embassy of Turkey, The Implemented Programs and Measures Taken Against Child Labour, 5.


3643 UNICEF, UNICEF in Turkey.
million loan to support the Second Basic Education Project that will improve education through a number of measures, including the construction of new classrooms, provision of education materials, and teacher training.\footnote{3644}

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 7.8 percent of children ages 10 to 14 years in Turkey were working.\footnote{3645} Children work in agriculture, metal work, woodworking, automobile and clothing industries, textiles, leather goods, personal and domestic services,\footnote{3646} and automobile repair.\footnote{3647} During certain seasons, heavy agricultural workloads prevent children from regularly attending classes.\footnote{3648} Street children in the cities of Diyarbakır, Adana, and Istanbul collect trash, pick through garbage at dumpsites, shine shoes, and sell various goods.\footnote{3649} Turkey is also a destination and transit country for girls who are trafficked for the purpose of commercial sexual exploitation from Romania, Russia, Ukraine, Moldova, Armenia, Azerbaijan, Bulgaria and Georgia.\footnote{3650}

Primary education is compulsory for 8 years for children between the ages of 6 and 14 under the Basic Education Act.\footnote{3651} Expenses for school, such as uniforms, books, and voluntary expenses for school, such as uniforms, books, and voluntary


\footnote{3645} World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002. According to a 1999 survey conducted by the State Institute of Statistics, 4.2% of children ages 6-14 were economically active (511,000) while 27.6 percent (3,329,000) were working at home. Approximately 80 percent of working children were also attending school. Embassy of Turkey, *Policies, Programmes, and Measures Against Child Labour in Turkey*, Washington, D.C., September 6, 2002.


For the period between 1995 and 1999, the gross primary enrollment rate was 86 percent for girls and 98 percent for boys, while the net primary enrollment rate was 82 and 93 percent respectively. Approximately 99 percent of those children enrolled reach grade five.

**Child Labor Laws and Enforcement**

The Labor Act establishes the minimum age for employment at 15 years, but allows children at least 13 years of age to perform light work that does not harm their health, development, or interfere with their education. The Labor Law prohibits underground work for children under the age of 18 and precludes children under 16 years from working in heavy and hazardous work. The minimum age for night work is 18 years. Before beginning a job, children who are under 18 years of age must undergo a physical examination, which is to be repeated every six months. Children under 18 years are not permitted to work in bars, coffee houses, dance halls, cabarets, casinos, and public baths.

The Apprenticeship and Vocational Training Act No. 3308 allows children ages 14 to 18 who have completed the mandatory eight years of education to be employed as apprentices. One day per week is dedicated to training and education, and the annual vacation for children is one month. Criminal law forbids the sexual exploitation of children.

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3654 Ibid.


3658 Article 80 as cited in Ibid. See also Fisek, *Turkish Laws on Working Children*.


3661 UNICEF, *State of Turkey’s Children*. 

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The MLSS Labor Inspection Board (BLI) is the government agency responsible for enforcing child labor laws in Turkey.\textsuperscript{3662} The MLSS has been unable to effectively enforce many of the child labor laws for a variety of reasons, including inadequate legislation, traditional attitudes, socio-economic factors, and the predominantly informal nature of child labor in Turkey.\textsuperscript{3663} Therefore, the BLI has focused on protecting working children by improving their working conditions.\textsuperscript{3664}

The Government of Turkey ratified ILO Convention 138 on October 30, 1998, and ILO Convention 182 on August 2, 2001.\textsuperscript{3665}

\textsuperscript{3662} The Ministry of Labour and Social Security Labour Inspection Board, \textit{Report on Labour Inspection}, 5. See also Embassy of Turkey, \textit{Policies Against Child Labour in Turkey}, 9. See also Embassy of Turkey, \textit{The Implemented Programs and Measures Taken Against Child Labour}. The Labor Inspection Board is the mechanism within the MLSS that is responsible for enforcing child labor legislation. A project called “Implementation of Labour Inspection Policy on Child Labour in Turkey” was launched in 1995.


\textsuperscript{3664} Embassy of Turkey, \textit{Policies Against Child Labour in Turkey}, 10. See also Embassy of Turkey, \textit{The Implemented Programs and Measures Taken Against Child Labour}, 9.

**Tuvalu**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Tuvalu began a review of national education policy in 2002 in order to address concerns regarding the quality of education in the country. The government currently receives assistance from UNDP and UNICEF for a variety of national and regional programs that benefit children. UNDP provides technical assistance to strengthen the capacities of local governments in Tuvalu and implements regional basic education, non-formal education, and poverty strategy initiatives in the Pacific. UNICEF’s programs specifically address children’s health, youth development, and education. The Governments of Australia and New Zealand provide funds for education-related projects and activities. The Government of Australia supported a five-year project to improve the management and administration of the education system at the primary and secondary levels.

**Incidence and Nature of Child Labor**

Statistics on the number of working children under the age of 15 in Tuvalu are unavailable. Reportedly, children are rarely employed in non-traditional sectors of the economy.

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3669 UNICEF, *UNICEF’s Program of Assistance*.


Under Tuvalu’s Education for Life Program, education is free and compulsory between the ages of 6 and 15 years. In 1998, the gross and net primary enrollment rates were both 100 percent. Primary school attendance rates are unavailable for Tuvalu. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

Tuvaluan law sets the minimum age of employment at 14 years, and a child must be 18 years old to sign a formal work contract. The law prohibits industrial labor or work on ships by children less than 15 years of age. In addition, the Constitution and the Penal Code prohibit forced labor. The Penal Code criminalizes the procurement of a child less than 18 years of age for prostitution. While the law does not specifically address trafficking in children, the kidnapping or abducting of children is prohibited under the Penal Code.

The Government of Tuvalu is not a member of the ILO, and as such has not ratified ILO Convention 138 or ILO Convention 182.

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3676 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3678 Ibid.


3680 *Penal Code*, Articles 136, 241, 42, 46, and 47.

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Uganda has been a member of ILO-IPEC since 1998. In 1999, with funding from USDOL and USAID and technical assistance from ILO-IPEC, the Government of Uganda launched a National Program to Eliminate Child Labor, which focuses on children working in commercial agriculture, construction, street children, commercial sex and domestic workers, fishing, and cross-border smuggling/drug trafficking. The Ministry of Gender, Labour and Social Development established a Child Labor Unit to develop policies and programs on child labor, to promote coordination and networking among key stakeholders and to monitor the implementation of programs. In 2000, the Statistics Department of the Ministry of Finance, Planning and Economic Development, with funding from the USDOL and USAID and technical assistance from the ILO-IPEC’s SIMPOC, conducted a national survey on child labor. Uganda is also one of five countries participating in a USDOL-funded ILO-IPEC regional program to combat child labor in the commercial agricultural sector.

The Universal Primary Education (UPE) program was launched in 1997 to improve access to education, improve the quality of education, and ensure that education is affordable. In Financial Year 2000-2001 education was the largest expenditure in the government budget, with an

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3684 FIDA (Uganda), Children in Domestic Service: A Survey in Kampala District, International Federation of Women Lawyers (FIDA), Kampala, 2000, 14.


3686 Among the institutions anticipated to play an active role in the project are the Federation of Uganda Employers, the National Organization of Trade Unions, the National Union of Plantation and Agricultural Workers, the World Food Program, UNICEF, Save the Children, various government ministries, and other nongovernmental and community-based organizations providing direct services to child laborers. See ILO-IPEC, Targeting the Worst Forms of Child Labor in the Tea, Tobacco and Coffee Sectors in Uganda, Geneva, September 2000. The other countries in the project are Ghana, South Africa, Zambia and South Africa, see U.S. Department of Labor, ILO-IPEC, Bureau of International Labor Affairs, [online] [cited September 25, 2002]; available from http://www.dol.gov/ILAB/programs/tech_assist/iloipeck/main.htm.


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allocation of 26.7 percent; of this amount, 68.6 percent was allocated to primary education.³⁶⁸⁸ UPE has raised primary school enrollment from 3.1 million children in 1996 to 6.6 million children in 1999.³⁶⁸⁹ The Government of Uganda has also begun several programs to improve girls’ education, such as the Girl Education Movement, which seeks to improve girls’ leadership and technical skills, the Girl Child Education Strategy, which seeks to increase girl student enrollment and, in conjunction with UNICEF, a “Non-Formal Alternatives” program aimed to teach basic skills to girls ages 10 to 16 years who have never attended school.³⁶⁹⁰

Some major obstacles to the provision of quality education remain. These obstacles include the inability of teacher recruitment to keep pace with rising enrollment, low teacher salaries, poor payroll management, inefficient bureaucracy, a lack of professional development and training opportunities for teachers, sexual harassment of female teachers and a lack of incentives to attract teachers to hard-to-reach areas.³⁶⁹¹ In 1999, approximately one-fourth of all students failed the final examinations in primary school.³⁶⁹² The Government of Uganda works with international and multinational agencies to provide education to the country’s children through the Alternative Basic Education for Karamoja program, which brings literacy programs into the homes of children not attending formal school, and the Complementary Opportunities for Primary Education initiative, for children ages 10 to 16 years who have never attended school or dropped out before acquiring basic literacy and numerical skills.³⁶⁹³

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 43.8 percent of children ages 10 to 14 years were working in Uganda.³⁶⁹⁴ Children sell small items on the streets, beg, wash cars, scavenge and work in the commercial sex industry.³⁶⁹⁵ Children work on commercial farms, including tea, coffee, and


tobacco. The Government of Uganda reports that some of the worst forms of child labor in the country include heavy domestic work, commercial sex and sexual slavery, the smuggling of merchandise across borders, the use of children as soldiers, and work performed by children living on the streets.

Dissident military groups have also forced children into military service. Two antigovernment rebel groups, The Lord’s Resistance Army (LRA) and the Allied Democratic Forces, have reportedly abducted approximately 10,000 children in northern Uganda and southern Sudan for use as soldiers, porters and sex slaves. An estimated 4,000 children abducted by the LRA continue to be held in southern Sudan.

The Constitution states that a child is entitled to basic education, which is the responsibility of the state and the child’s parents. However, education is neither free nor compulsory; the Government of Uganda pays the school fees for four children per family and provides free textbooks. In 1998, the gross primary enrollment rate was 154.1 percent; in 1997, the net primary enrollment rate was 87.3 percent. An estimated 94 percent of children reached grade

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3696 Kyagulanyi, electronic communication, September 29, 2002. According to a survey conducted by the Federation of Uganda Employers, of 115 enterprises involved in tea, coffee, sugar, rice and tobacco production, children perform a variety of tasks, including harvesting tea and tobacco (25 percent), picking coffee beans (23 percent), weeding (14 percent), slashing (9 percent), spraying (9 percent), and sorting tobacco (5 percent). Federation of Uganda Employers (FUE), The Employers’ Effort in Eliminating Child Labour Within the Formal Agricultural Sector in Uganda: A Study Conducted by FUE, April 1999, 22.


3701 U.S. Embassy- Kampala, unclassified telegram no. 2989.

3702 Ministry of Education and Sports, The Ugandan Experience of UPE, 10.

3703 World Bank, World Development Indicators 2002.
Primary school attendance rates are unavailable for Uganda. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Constitution of Uganda states that children under 16 years have the right to be protected from social and economic exploitation and should not be employed in hazardous work or work that would otherwise endanger their health, physical, mental, spiritual, moral, or social development or that would interfere with their education. The Employment Decree of 1975, Section 50, sets the minimum age for employment at 12 years, except for light work as proscribed by the Minister of Labor by statutory order. Children’s Statute No. 6 of 1996 also prohibits the employment of children under 18 in work that may be harmful to their health, education, or mental, physical, or moral development.

Article 125 of the Penal Code prohibits individuals from soliciting females for prostitution; violation of this code is punishable by up to 7 years of imprisonment. Owning or occupying a premise where a girl under age 18 is sexually exploited is a felony, and offenders are subject to 5 years of imprisonment. Under Article 123 of the Penal Code, rape of a girl under the age of 18 is an offense punishable by imprisonment for up to 18 years with or without corporal punishment.

The Armed Forces (Conditions of Service) Regulations set the minimum age for military service at 18 years, although children age 13 and older may enroll with the permission of a parent or guardian. The Ministry of Gender, Labor and Social Development is the primary institution responsible for investigating and addressing complaints related to child labor. The Government of Uganda has not ratified ILO Convention 138, but did ratify ILO Convention 182 on June 21, 2001.
Uruguay

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Uruguay is an associated country of ILO-IPEC. In December 2000, the Government of Uruguay created a National Committee for the Eradication of Child Labor. ILO-IPEC has worked with the government and the committee to harmonize the country’s laws with ILO conventions on children, improve child labor statistics, develop child labor monitoring and inspection systems, and strengthen social policies and conduct awareness raising campaigns on the issue. The ILO’s Inter-American Center for Research and Documentation on Professional Formation funds a number of projects to socially integrate youth into schools and the greater community. In November 2002, the IDB approved funding to the Government of Uruguay to improve the living conditions of at-risk children and adolescents, which will include measures to reduce the risk of school attrition, child labor and child abuse.

As part of its national action plan for children, the government has undertaken various initiatives to encourage school attendance and improve the quality of basic education, such as the provision of lunches and medical attention in schools, introduction of a longer school day, more coordinated curricula, teacher training, and projects designed to encourage local involvement in school programs. The National Child and Adolescent Institute (INAME) heads a collaborative effort to provide parents of working children with monthly payments in exchange for regular class attendance by their children. INAME also works with at-risk youth such as those living on the streets.


ILO-IPEC, Plan Subregional para la Erradicación del Trabajo Infantil, 13. The committee is composed of representatives from government agencies and nongovernmental organizations such as the Ministry of Labor, the National Children’s Institute, labor unions, the Chamber of Commerce, the National Association of Nongovernmental Organizations, and UNICEF. See Ricardo Nario, Embassy of Uruguay, facsimile communication to USDOL official, September 6, 2002.

ILO-IPEC official, electronic communication to USDOL official, October 1, 2002.


The payments approximate the amount of money that a child would earn working on the street. U.S. Embassy-Montevideo, unclassified telegram no. 1824, September 2000.
street and provides adolescents with work training. The government collaborates with NGOs to fund the Child and Family Service Center Plan, which provides after school recreational programs for children and special services for street children. INAME heads the Interinstitutional Group for the Prevention and Protection of Children against Youth Sexual Exploitation, which conducts research on the phenomenon and operates a toll-free phone number to connect victims with support services.

The National Administration of Public Education (ANEP), an autonomous government agency, has developed a project to train teachers and educate students on children’s rights. In August 2002, Uruguay received a USD 3.9 billion loan package from the World Bank, IMF, and the Inter-American Development Bank that, in addition to several other purposes, is intended to support research and school rehabilitation conducted by ANEP. This loan is in addition to a USD 43.4 million loan from the World Bank in April 2002 for pre-school and primary education.

Uruguay is also participating in regional efforts to combat child labor. In 1997, Uruguay was a party to the Declaration of Buenos Aires, in which it agreed, along with the MERCOSUR partners (Argentina, Brazil, and Paraguay) and Chile, to promote the harmonization of regional laws and carry out awareness raising activities related to child labor. Uruguay has also committed to exchange best practices in regard to child labor inspections and statistics with its MERCOSUR partners. In addition to providing support for these efforts, ILO-IPEC is also promoting regional projects to strengthen civil society partners, incorporate child labor themes into national and regional policies, remove children from child labor through direct action programs, and establish observer committees responsible for evaluating progress.

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3722 National Institute for Minors, Centro de Formación y Estudios, INAME, [online] [cited September 6, 2002], 12; available from http://www.iname.gub.uy/TAREA.htm.


3724 ILO-IPEC Regional Office for Latin America and the Caribbean, Informe Regional- Uruguay.

3725 Other governmental agencies and UNICEF are also members of the commission. Martín Marzano Luissi, La Experiencia Uruguay en Explotación Sexual de Niños, Niñas y Adolescentes, Instituto Nacional del Menor.


3727 National Administration of Public Education (ANEP), Derechos del niño: Derechos deberes y garantías, una propuesta pedagógica hacia un indicador de logro actitudinal, segunda parte del proyecto, [online] [cited September 6, 2002]; available from http://www.anep.edu.uy/primaria/InformacionInstitucional/ProyectosCEP/Derechos1.htm.


3730 ILO-IPEC, Plan Subregional para la Erradicación del Trabajo Infantil, 5.

3731 Ibid.

3732 Ibid., 18-19.
Incidence and Nature of Child Labor

In 2000, the ILO estimated that 1 percent of children ages 10 to 14 years were working in Uruguay. The incidence of working boys is greater than that of working girls, and this ratio increases in rural areas. Children work in services, stores, agriculture, ranching, industry, and as artisans and domestic servants. More children work in the interior of the country than in Montevideo, the capital city. Children as young as age 11 or 12 reportedly engage in prostitution; these children work in entertainment establishments and in regions that cater to tourists, such as the resort of Punta del Este. A trafficking ring that brought a small number of Ecuadorian youths to the country and forced them to work in unhealthy conditions was discovered in May 2001.

Education is compulsory for a total of nine years, beginning at the primary level, and is free from the pre-primary through the university level. In 1998, the gross primary enrollment rate was 112.8 percent, and the net primary enrollment rate was 92.3 percent. Primary school attendance rates are unavailable for Uruguay. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Children and Adolescents’ Code sets the minimum age for employment at 14 years. Under rare circumstances, adolescents between the ages of 14 and 15 may be granted special permission...
to work by the Ministry of Labor and Social Security. Minors between the ages of 15 and 18 also require government permission to work, and are prohibited from engaging in dangerous, fatiguing or night work. All working children under the age of 18 must obtain a work card issued by the National Child and Adolescent Institute and must provide it to their employers. Article 294 of the Uruguayan Penal Code prohibits procuring a person for prostitution. The trafficking of children and child pornography are criminal offenses in Uruguay.

The Ministry of Labor and Social Security is responsible for enforcing labor laws. The Adolescent Labor Division of INAME bears primary responsibility for implementing policies to prevent and regulate child labor and to provide training on child labor issues. Minimum age laws and laws prohibiting forced or bonded labor by children are generally enforced in practice.


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3745 Ibid.
3746 Work cards must contain a medical certificate reflecting the child’s good health and parental authorization. During the first 9 months of 2000, National Institute for Children (INAME) issued approximately 1,445 work cards to children between the ages of 14 and 18, with three-fourths of these going to boys. U.S. Embassy- Montevideo, unclassified telegram no. 1824.
3747 If the victim is younger than 14 years, the punishment is 4 years of imprisonment. See United Nations Development Programme, Uruguay: Legislación sobre violencia, [online] 2002 [cited September 6, 2002]; available from http://www.undp.org/rblac/gender/campaign-spanish/uruguay.htm.
3750 ILO-IPEC Regional Office for Latin America and the Caribbean, Informe Regional- Uruguay.
Uzbekistan

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 2000, the Republic of Uzbekistan and UNICEF signed a cooperation agreement for the 2000-2004 period which incorporates the protection, development and well-being of children and youth into its approach. Another government initiative, the State Program on Forming a Healthy Generation (2000 – 2005), focuses on improving childhood development in such areas as health and education. The government works with community-based Makhalla organizations, a pre-Soviet system of community-based management and social service provision, to protect children at the community level through a neighborhood monitoring mechanism. The Makhalla benefits low-income families with children under the age of 16. In 2001, the government created the Family, Mother and Child Welfare Secretariat and the Committee for Youth Affairs.

The government’s education reform program has expanded the compulsory term of study from 9 to 12 years and has increased the level of pre-professional training. To encourage attendance, the state provides aid to students from low-income families in the form of scholarships, full or partial boarding, textbooks, and warm clothing. In addition, children from underprivileged households are provided with free medical services. A youth social protection program offers retraining and skills improvement classes for school dropouts. Girls who work in unfavorable conditions are provided with compensation, such as shorter work days/weeks, food allowances and free medical service.

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3757 The twelve years of mandatory schooling consist of 4 years at the primary level, 5 years at the secondary level, and 3 years of professional or vocation training in special training centers and colleges. U.S. Embassy- Tashkent, unclassified telegram no. 3730. See also Government of Uzbekistan, Multiple Indicator Cluster Survey (MICS), Understanding Children’s Work, December 5, 2000, [cited September 9, 2002]; available from http://www.childinfo.org/MICS2/natMICSreps/Uzbekistan/UZBA_MICS_REPORT_Final%20%20.pdf.
3760 Ibid., 11.
In collaboration with the Government of Uzbekistan, UNICEF’s Young People’s Well-Being Program supports existing efforts to improve awareness of healthy lifestyles for children. Beneficiaries of the program include working children and sexually exploited children.3762

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 23.4 percent of children ages 5 to 15 years in Uzbekistan were working.3763 Children work in agriculture in rural areas, where the large-scale, compulsory mobilization of children to help with cotton harvests has been reported.3764 Schools allegedly close in rural areas to allow children to work during the cotton harvest.3765 Popular media report that children help cultivate rice and raise silk worms in rural areas, and work as shop assistants, transport conductors, waiters, couriers and as home and office cleaners in cities.3766 Children frequently work as temporary hired workers, or *Mardikors*, without access to the social insurance system.3767 Various NGOs have reported that incidents of sexual exploitation of young women are increasing, although exact numbers are not available.3768 Women and girls are reportedly trafficked to destinations including the Persian Gulf, South Korea, Thailand, and Turkey for the purposes of commercial sexual exploitation.3769

Education is compulsory for twelve years.3770 In 1998, the gross primary enrollment rate was 99.6 percent, and the net primary enrollment rate was 87.8 percent.3771 Approximately 73.4 percent of primary school age children attend school regularly, and at the national level, attendance rates for boys and girls are the same.3772 In 2000, 88.7 percent of children who attended the first grade


3763 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Uzbekistan, *Multiple Indicator Cluster Survey*.


3767 Cango.net, *The Situation with Child Labour is Unlikely to Change in the Foreseeable Future*.


3770 U.S. Embassy- Tashkent, *unclassified telegram no. 3730*.


3772 Government of Uzbekistan, *Multiple Indicator Cluster Survey*, 5 and Annex, Table 11
reached the fifth grade, and the percentage for children in urban areas is higher than that of children in rural areas.

The state is implementing policies that shift the burden of financing education to the family. In addition, maintenance of school buildings has been cut and school supplies are scarce. Due to low salaries, teachers often demand additional payments from students and their families, and parents are often asked to cover the costs of school repairs. Declining enrollment and high dropout, repetition, and absenteeism rates in both primary and secondary schools have been reported.

### Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years. All working children between the ages of 14 and 18 are required to obtain written permission from a parent or guardian and work cannot interfere with their studies. The Labor Code prohibits children less than 18 years of age from working in unfavorable labor conditions and establishes limited work hours for minors. The Constitution prohibits forced labor except when fulfilling a court sentence. The Criminal Code prohibits the abduction and recruitment of children for the purposes of exploitation. The Code also provides punishments for people who profit from prostitution and maintain brothels.

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3773 Ibid., Annex, Table 10
3774 UNICEF, Executive Summary, Annex, Table 11.
3776 U.S. Embassy- Tashkent, unclassified telegram no. 3730.
3777 UN Committee on the Rights of the Child, Concluding Observations, para. 57.
3778 Fourteen year-olds can only work in light labor that does not negatively affect their health and/or development. U.S. Embassy- Tashkent, unclassified telegram no. 3730.
3779 Children between the ages of 14 and 16 may only work 10 hours per week while school is in session and 20 hours per week during school vacation. Children between 16 and 18 years may only work 15 hours per week when school is in session and 30 hours per week during school vacations. Ibid.
3780 UN Committee on the Rights of the Child, Initial Reports of States Parties Due in 1996, CRC/C/41/Add.8, prepared by Government of Uzbekistan, pursuant to Article 44 of the Convention on the Rights of the Child, February 19, 2001, para. 315, 18 and 24. The government issued a list of jobs that fall into the category of “unfavorable labor conditions,” which include subway and tunnel construction, metallurgy, drilling and exploration for oil and gas, chemical/microbiological production, and aircraft repair and construction. See U.S. Embassy- Tashkent, unclassified telegram no. 3730.
3782 UN Committee on the Rights of the Child, Initial Reports of States Parties: Uzbekistan, para 150. Penalties vary depending on the crime, ranging from fines to imprisonment of up to 5 years. See Articles 135 and 137 of the Criminal Code, as cited in International Helsinki Federation for Human Rights, Women 2000, 505-06.
The Ministry of Labor and Social Protection, the Prosecutor’s Office and the trade unions are the bodies responsible for labor issues. Punishments and enforcements seem to be sufficient in the formal economic sector, but less so in the family-based and agricultural sectors.\textsuperscript{3784}

The Government of Uzbekistan is not an ILO-IPEC member\textsuperscript{3785} and as such has not ratified either ILO Convention 138 or ILO Convention 182.\textsuperscript{3786}

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\textsuperscript{3784} U.S. Embassy- Tashkent, \textit{unclassified telegram no. 3730}.
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Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1997, the Government of Vanuatu created a Comprehensive Reform Program (CRP) concentrating mainly on education. A major goal of the CRP program was to introduce 10 years of compulsory education for all children by the year 2010. UNICEF is working with the Ministry of Health, other governmental departments, NGOs, and Pacific Island Regional Organizations to address the issues of early childhood education. Another goal of the government is to increase access to secondary school education for students who complete primary school. To meet this goal the government has gained assistance from the Peace Corps in launching its “Youth with Potential” project. Peace Corps volunteers have taken the lead by developing educational curricula and teaching secondary school math, science and English. By the end of 2002, it is estimated that volunteers will have taught approximately 9,500 students.

Incidence and Nature of Child Labor

Statistics on the number of working children in Vanuatu under age 15 are unavailable. Many children assist their parents in family-owned agricultural production. There have been no reports of trafficked, bonded, forced, or compulsory labor involving children in the Pacific island nation.

Access to school is limited, and there is no constitutional guarantee mandating that education be either compulsory or free. In 1998, the gross primary enrollment rate was 97.3 percent, and

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3788 Margaret Chung and Gerald Haberkorn, Broadening Opportunities for Education: Pacific Human Development Report, 1999, 44.


3791 Ibid., 1c.

3792 Ibid.


3794 Ibid., 1209-10, Section 5.

the net primary enrollment rate was 90.1 percent. Primary school attendance rates are unavailable for Vanuatu. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The educational system is complicated by the use of two official languages and over one hundred vernaculars spread out over many islands. A 1999 report published by the UNDP stated that 24 percent of all primary school teachers in Vanuatu are untrained, and projections have been made that at the current high growth rate of school age children, primary school enrollment will double by the year 2010.

**Child Labor Laws and Enforcement**

Under the Labor Code, children below the age of 12 are prohibited from working outside family-owned operations involved in agricultural production. Children between the ages of 12 and 18 are restricted from working at night or in the shipping industry. Forced labor is also prohibited by law.

The Government of Vanuatu is not a member of the ILO, and as such has not ratified ILO Convention 138 or ILO Convention 182.

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3797 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

3798 Chung and Haberkorn, *Broadening Opportunities for Education*, 42.

3799 Ibid., 40, 45.


3801 Ibid., 1210-11, Section 6c.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Venezuela has been a member of ILO-IPEC since 1996. In 1997, the government created the National Commission for the Eradication of Child Labor and Protection of Child Workers with responsibilities for collaborating with ILO-IPEC on child labor elimination projects and encouraging and strengthening coordination among national and international public and private institutions in an effort to combat child labor. ILO-IPEC, with the support of the Spanish government, implemented a project from 1999-2000 to eliminate the commercial sexual exploitation of girls in Venezuela. The Ministry of Labor and the Ministry of Social Development are currently working together on a government study of the child labor situation in the country.

The government has collaborated with UNESCO to develop an Education for All plan to increase primary school enrollment and completion rates, improve educational achievement, and expand basic education services and training in essential skills for youth. The National Institute for Minors has made efforts to address the commercial sexual exploitation of children by establishing Local Social Protection networks for children and adolescents who are at high social risk.
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 9.9 percent of children ages 5 to 14 years in Venezuela were working. Children are engaged in selling goods on the streets, shining shoes, bagging groceries at supermarkets, guarding and washing cars, guiding the blind, and helping in family businesses (including family farms). Children are also involved in begging, petty theft on the streets, prostitution, and drug trafficking. Although child labor is not reported to be a significant problem in the manufacturing sector, some girls work in their homes helping their mothers sew garments on a piecework basis.

There are reports that children from Venezuela have been abducted and used as child soldiers by the Revolutionary Armed Forces in Colombia, the military wing of the Colombian Communist Party. In 2001, Venezuela was reported to be a source, destination and transit country for trafficking in persons. Children were reportedly trafficked from other South American countries, especially Ecuador, to work in Caracas as street vendors and housemaids.

Education is compulsory for 10 years and free up to the university preparatory level (15 or 16 years of age). Under Article 53 of the Law for the Protection of Children and Adolescents, all children have the right to receive a free education at a school or institution near their home. In 1996, the gross primary enrollment rate was 91.3 percent, and the net primary enrollment rate was 83.8 percent. Primary school attendance rates are unavailable for Venezuela. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation.

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3809 The Multiple Indicator Cluster Survey (MICS) study defines “currently working” to include children who were performing any paid or unpaid work for someone other than a member of the household, who performed more than 4 hours of housekeeping chores in the household, or who performed other family work. See Government of Venezuela, Multiple Indicator Cluster Survey (MICS): Standard Tables for Venezuela, UNICEF, [cited October 7, 2002]; available from http://www.childinfo.org/MICS2/newreports/venezuela/venezuela.htm. See also Understanding Child Work, Recently Completed and Upcoming Surveys, ucw-project.org, [online] [cited August 22, 2002]; available from http://www.ucw-project.org/resources/future_survey_information.html.


3811 Ibid.

3812 Ibid.


3815 Ibid.


Children in some regions of the country do not have access to schools and have limited access to materials and textbooks. There are an insufficient number of well-trained teachers in some areas and drop out rates and repetition rates at the primary and secondary school level are high. In 2000, an NGO study reported that 500,000 children were not eligible to receive government assistance, including public education, because their births were not documented properly. Members of the country’s indigenous population also lack access to basic educational facilities.

**Child Labor Laws and Enforcement**

The Labor Code of 1997 and the Law for the Protection of Children and Adolescents sets the minimum age for employment at 14 years. Children under the age of 14 are prohibited from working in businesses, establishments, and industrial, mining, and commercial enterprises. Children between the ages of 12 and 14 can work under certain circumstances with the permission of the National Children’s Institute and the Ministry of Labor, provided that they are employed in work suited to their physical capacity and are guaranteed an education. Children ages 14 to 16 can work only with the permission of their parent or legal guardian or another appropriate authority. In most cases, children under the age of 16 are not permitted to work more than 6 hours a day (in two shifts of no more than four hours each) and 30 hours a week. Children under the age of 18 cannot work at night. Article 28 of the Law for Protection of Children and Adolescents prohibits forced labor, slavery and servitude.

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3820 For a more detailed description on the relationship between education statistics and work, see the preface to the report.
3821 Ibid.
3823 The study was conducted by the NGO Community Centers for Learning (CECODAP). U.S. Department of State, *Country Reports- 2001: Venezuela*, 3081-84, Section 5. Under Title II, Chapter II, Article 17 of the Law for the Protection of Children and Adolescents, all children have the right to be identified after birth. Article 22 further states that children have the right to obtain public identification documents that demonstrate their identity and that the State shall assure that there are program and measures to determine the identity of all children and adolescents. See *Ley niño y del adolescente, 2000*.
3826 *Ley niño y del adolescente, 2000*, Title II, Chapter 3, Article 96.
3827 *Ley orgánica del trabajo, 1997*, Title V, Chapter 1, Article 96.
3828 Ibid.
3829 Ibid., Title V, Chapter 1, Article 248.
3830 Ibid., Title V, Chapter 1, Articles 254 and 57.
3831 *Ley niño y del adolescente, 2000*, Title II, Chapter II, Article 38.
Article 32 of the Labor Code\textsuperscript{3832} and slavery and servitude are prohibited under Article 54 of the Constitution.\textsuperscript{3833} Article 33 of the Law for Protection of Children and Adolescents guarantees the right of all children to be protected against any form of abuse or sexual exploitation.\textsuperscript{3834}

Articles 388 and 389 of the Criminal Code prohibit inducing the prostitution of minors and the corruption of minors.\textsuperscript{3835} Persons convicted of these crimes can be sentenced to imprisonment from 3 to 18 months.\textsuperscript{3836} Laws protecting minors from abuse may be used to prosecute cases of child pornography.\textsuperscript{3837} The Constitution prohibits trafficking in persons.\textsuperscript{3838} The Law for the Protection of Children and Adolescents provides a penalty of 1 to 10 months in jail for trafficking in children.\textsuperscript{3839} The Ministry of Labor, the National Institute for Minors, and the Prosecutor General’s office enforce child labor laws. These laws are enforced effectively in the formal sector but are not well enforced in the informal sector.\textsuperscript{3840} The government did not prosecute any cases of trafficking in 2001 and government efforts to prevent and prosecute trafficking are rare.\textsuperscript{3841}

The Government of Venezuela ratified ILO Convention 138 on July 15, 1987, but has not ratified ILO Convention 182.\textsuperscript{3842}

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\textsuperscript{3832} Ley orgánica del trabajo, 1997, Title V, Chapter 3, Article 32.
\textsuperscript{3834} Ley niño y del adolescente, 2000, Title II, Chapter I, Article 33.
\textsuperscript{3835} Interpol, Legislation of Interpol Member States on Sexual Offenses Against Children- Venezuela, [online] December 5, 2002 [cited August 21, 2002]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csavanexuela.asp.
\textsuperscript{3836} Ibid.
\textsuperscript{3837} Ibid.
\textsuperscript{3838} U.S. Department of State, Country Reports- 2001: Venezuela, 3085-89, Section 6f.
\textsuperscript{3839} Ibid.
\textsuperscript{3840} Ibid., 3085-89, Section 6d.
\textsuperscript{3841} Ibid., 3085-89, Section 6f.
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Yemen

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Yemen has been a member of ILO-IPEC since 2000. The Ministry of Labor has played a role in the development of strategies to recognize and combat child labor. Reports from the Ministry of Labor on the state of child labor in Yemen contributed to the formation of an ILO mission to investigate child labor in 1999.

On October 2000, USDOL funded an ILO-IPEC national program in Yemen that aims to withdraw approximately 3,000 child workers from the worst forms of child labor, mainstream them into non-formal and formal education programs, provide them pre-vocational and vocational training, and support them with counseling, health care and recreational activities. The program targets children working in extremely hazardous or abusive conditions, children below the age of 12, and girls. A program to develop a National Policy and Program Framework for the elimination of child labor in Yemen was initiated in November 2001.

The Ministry of Education is making efforts to eliminate child labor by developing educational support programs, lowering school drop out rates of working children, and raising public awareness of the relationship between education and work. In 2000, the Government of Yemen and the World Bank developed a Basic Education Expansion Project to give the highest priority to primary education, particularly focusing on increased access to education for girls in underserved rural areas. One of the stated objectives of the six-year project is to bridge gender gaps in basic education.

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3845 Ibid., 13.
3846 Ibid., 14.
3848 Ibid., 10.
**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 18.7 percent of children between ages 10 to 14 years were working in Yemen. The majority of children work in agriculture without wages. Other children work street vendors, beggars, and domestics and in the fishing, leather, and automobile repair sectors.

The Constitution guarantees free and compulsory education to all Yemeni citizens. Nine years of education is compulsory for children. In 1998, the gross primary enrollment rate was 77.9 percent (100.2 percent for boys and 55.1 percent for girls), and the net primary enrollment rate was 61 percent. Primary school attendance rates are unavailable for Yemen. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The Ministry of Education reported that nearly 200,000 boys dropped out of school in 1999. Child labor is reported to interfere with school attendance, particularly in the agriculture and domestic service sectors.

**Child Labor Laws and Enforcement**

There is no clearly established minimum age for employment in Yemen. Yemeni law defines a child as someone below the age of 15. Under the Labor Law of 1995, a child may work up to seven hours per day and must be allowed a 60-minute break after four hours of labor. The

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3851 Government of Yemen et al., *Children and Women in Yemen: A Situation Analysis- Summary 1998* (Government of Yemen et al., 1998), 1: 103-06. Please note that there is a paucity of current data on child labor in Yemen. The figures cited in the study are based on a 1994 population census.

3852 National Program on the Elimination of Child Labor, 14.

3853 Yemen (Constitutional Guarantees) The Right to Education Project, Articles 32 and 53; available from right-to-education.org/search/index.html.


3855 World Bank, *World Development Indicators 2002*.

3856 For a more detailed description on the relationship between education statistics and work, see the preface to this report.

3857 National Program on the Elimination of Child Labor, 7-8.


maximum workweek for a child is 42 hours per week. An employer must secure the approval of a child’s guardian and notify the Ministry of Labor before employing a child. The Labor Law prohibits hazardous working conditions for children. Overtime for children and work on official holidays is also prohibited. Moreover, employers must grant every child a 30-day annual leave for every 12-month period of labor completed. Neither the child nor the parent may waive this annual leave. The Labor Law further establishes the minimum wage for children to be not less than two-thirds that of an adult.

A severe lack of resources and capacity prevents the government from enforcing laws regarding child labor and education, a problem that is compounded in rural areas.


3860 Article 45 of the 1995 Labor Law, as quoted in Government of Yemen et al., Children and Women in Yemen, 1: 101. The English translation locates this stipulation elsewhere. See 1995 Labor Law, Article 48; available from natlex.ilo.org/txt/E95YEM01.htm#a42.

3861 1995 Labor Law, Article 49.


3863 1995 Labor Law, Article 50.

3864 Ibid., Article 52.


Zambia

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Zambia has been a member of ILO-IPEC since 2000.³⁸⁶⁷ With funding from USDOL, a number of ILO-IPEC activities have been launched in Zambia, including a country program aimed at building national capacity to address child labor and targeting an initial group of children for removal and prevention from exploitative child labor.³⁸⁶⁸ As part of this program, a National Plan of Action on the Elimination of Child Labor was adopted in March 2001 by the National Steering Committee (NSC).³⁸⁶⁹ With technical assistance from ILO-IPEC’s SIMPOC, Zambia’s Central Statistical Office (CSO) conducted a national child labor survey in 1999.³⁸⁷⁰ Zambia is one of five countries participating in a USDOL-funded ILO-IPEC regional program to combat child labor in the commercial agricultural sector.³⁸⁷¹ In 2002, USDOL funded an education project targeting child laborers and children at risk of entering work.³⁸⁷² The Government of Zambia receives policy and program guidance on child labor issues through an Inter-Ministerial Committee, established in May 2000 and comprised of key ministries.³⁸⁷³

Zambia’s national policy on education, “Educating Our Future,” was published in 1996 and focuses primarily on making curricula for basic education more relevant, promoting partnerships and cost sharing, and improving school management.³⁸⁷⁴ With support from various donor groups, the government began implementing a national plan of reform through the Basic Education Sub-Sector Investment Program (BESSIP). Through BESSIP, the government aims to achieve universal

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³⁸⁷³ The ministries on the committee include: Labor; Sport, Youth and Child Development; Information and Broadcasting; and Legal Affairs. See U.S. Embassy- Lusaka, unclassified telegram no. 1761, October 2002. See also U.S. Embassy- Lusaka, unclassified telegram no. 3288, September 2001.
primary education enrollment by the year 2005. To increase school access, the government waived compulsory uniforms in rural areas and in 2002 issued a proclamation abolishing school fees for grades 1 to 7.

**Incidence and Nature of Child Labor**

In 1999, the Zambian CSO estimated that 11.5 percent (347,357) of children ages 5 to 14 years in Zambia were working. Over 90 percent of these children in the same age group were engaged in agricultural activities. Approximately 24 percent of working children combined work with school. Children are found working in a variety of industries and occupations, including fisheries, manufacturing, construction, trading, business services and personal services, domestic service, carpentry, food production and vending. An increasing number of younger children are forced into prostitution. In addition, the spread of HIV/AIDS and the growing number of orphans has contributed to an increase in the number of street children, many of who engage in various forms of work, such as carrying parcels or guarding cars.

Education is neither free nor compulsory in Zambia. In 1998, the gross primary enrollment rate was 86.4 percent, and the net primary enrollment rate was 72.9 percent. In 1996, the gross primary school attendance was 91.7 percent, and the net attendance was 67.4 percent.

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3877 This survey was carried out with technical support from the ILO/IPEC's SIMPOC. See Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey*, xvi.

3878 Ibid., Table 4.7, 27. The survey also found that 1.7 million children were involved in housekeeping activities, such as cooking, preparing food, washing dishes, house cleaning, washing and ironing clothes and taking care of younger siblings. See Republic of Zambia Central Statistics Office, *Zambia 1999 Child Labor Survey*, Table 4.26, 39.


3880 Ibid., Tables 4.7 and 4.15. See also A.J. Cheraw, Permanent Secretary, Ministry of Labour and Social Security, letter to USDOL official, June 6, 2001.


According to USAID, there are 560,000 children not attending school in Zambia, and of those children who enter grade one, one-third fail to complete their education through grade seven.3886 Girls’ attendance tends to be lower than that of boys, especially in rural areas.3887

**Child Labor Laws and Enforcement**

The Constitution of 1991 prohibits forced labor and establishes legal protection from exploitative work for young persons, defined as under the age of 15.3888 The Employment of Young Persons and Children Act of 1933, establishes 15 as the minimum age for employment, and prohibits children up to the age of 18 from engaging in work that is hazardous; however the law does not apply to commercial farms.3889 The Constitution prohibits trafficking of children under 15 years old.3890 The Ministry of Labor and Social Security (MLSS), which is responsible for enforcing labor laws, established a Child Labor Unit to specifically address issues relating to child labor.3891 MLSS conducts monthly inspections to workplaces, however the Ministry has noted that its staff is not properly trained to effectively address child labor issues. No fines or penalties have been issued for child labor violations, but MLSS has placed an emphasis on sensitizing and educating the public on the worst forms of child labor.3892


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3886 Enrollment rates have only marginally increased since 1990. There are a number of causes for this, including inadequate number of schools, distance between homes and schools, poor infrastructure and poor or no learning materials. USAID, *Overview of USAID Basic Education Programs in Sub-Saharan Africa III*, Technical Paper, No. 106, SD Publication Series, Office of Sustainable Development, Bureau for Africa, Washington, DC, February 2001, 95.

3887 Ibid. Enrollment of girls is also lower than that of boys (approximately 10 percent lower in 1999), and this gender disparity appears to be growing. See also UNICEF, *Children in Jeopardy: The Challenge of Freeing Poor Nations from the Shackles of Debt*, New York, 1999, 5.

3888 Constitution of the Republic of Zambia, 1991, (August 1991), Article 14 [cited November 6, 2001]; available from http://www.uni-wuerzburg.de/law/za00000_.html. The Constitution, Article 24 states that “no young person shall be employed and shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education or interfere with his physical, mental or moral development.” A young person is identified as anyone below the age of 15 years.

3889 The Employment of Young Persons and Children Act (1933), Chapter 274, as cited in ILO-IPEC, *Prevention, Withdrawal and Rehabilitation of Children: project document - Country Annex*, 65. The Employment of Young Persons and Children Act states that “a young person shall not be employed on any type of employment or work, which by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of that young person.”


3892 The government has initiated a capacity building program to provide MLSS with more human and material resources, so as to be able to conduct inspections more effectively and cover larger areas, including the informal sector. See U.S. Embassy- Lusaka, unclassified telegram no. 1761.

Zimbabwe

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Zimbabwe is an associated country of ILO-IPEC. The Government of Zimbabwe has created a Child Labor Task Force Committee to define child labor, identify problem areas and propose legislation to resolve these problems. The government is also making efforts to incorporate child labor issues into the plans and policies of several government ministries, such as the Ministry of Health, the Ministry of Education, Sport, and Culture, the Ministry of Labor, and the Department of Social Welfare.

In 1999, the Central Statistical Office of the Ministry of Public Service, Labor and Social Welfare, in cooperation with ILO-IPEC, published the results of a national child labor survey. Recent ILO technical assistance to Zimbabwe has supported a children’s play intended to raise awareness.

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3897 The Ministry of Labor established a Child Welfare Forum that meets four times annually with other government agencies to discuss child welfare issues. See Ibid.

3898 In response to the growing number of children living and working in the streets of large cities like the capital, Harare, the Department of Social Welfare has initiated a “Children in Difficult Circumstances” program. The Department of Social Welfare is in the process of decentralizing childcare services to local authorities. According to officials at Social Welfare, the Ministry of Local Government, Public Works and National Housing has responsibility for many of these services and is best suited for working with this population. Ibid. See also Tendai Mangoma, “More Children Forced to Beg,” allAfrica.com, The Herald (Harare), May 29, 2002, [cited December 19, 2002]; available from http://allafrica.com/stories/printable/200205290632.html.

of the dangers of child labor among parents and the community.\textsuperscript{3900} The government has also been engaged in anti-trafficking efforts and programs to combat sexual exploitation.\textsuperscript{3901}

Following independence in 1980, school fees were abolished, leading to a sharp rise in enrollment.\textsuperscript{3902} However, since primary and secondary school fees were reintroduced (under the country’s Economic Structural Adjustment Program of 1991), increases in student enrollment have declined.\textsuperscript{3903} As of 2000, the government planned to build more schools and expand existing schools to take on more students, provide scholarships and cover education costs for poor children through the Social Development Fund, the Basic Education Assistance Module (BEAM) and other social safety nets, as well as continue training staff and improving school facilities.\textsuperscript{3904} From 1990 to 1999, the number of training centers for out-of-school youth increased from 3 to 15 nationwide.\textsuperscript{3905}


\textsuperscript{3905} UNESCO, EFA 2000 Report: Zimbabwe.
Incidence and Nature of Child Labor

In 1999, a child labor survey conducted by the Zimbabwe Central Statistics Office, in cooperation with ILO-IPEC, estimated that 33.2 percent of children ages 5 to 14 years in Zimbabwe were working. Children work in a variety of sectors including traditional and commercial farming, forestry and fishing, domestic service, small-scale mining, gold panning, quarrying, construction, micro industries, manufacturing, trade, restaurants, and begging. Over 90 percent of working children aged 5 to 17 reside in rural areas. Many of these children work for long hours in the fields, often in exchange for education at farm boarding schools. There are indications that children from Zimbabwe have been recruited to work on farms in the Northern Province of South Africa.

In 1999, there were reportedly 12,000 street children in Zimbabwe. Some now estimate the national total to be more than 30,000 children. Street children are found begging, watching parked cars, and doing other odd jobs. In 2001, a growing number of children under 17 years

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3907 Ibid., 45, 60. See also Eldring, Nakanyane, and Tshoaedi, “Child Labor in the Tobacco Growing Sector”, 87.
were reportedly engaged in prostitution. The traditional practice of offering a young girl as payment in an inter-family feud continues to occur in Zimbabwe.

The child labor situation is compounded by the HIV/AIDS pandemic, which has left over one million children orphaned and reliant on informal work to supplement lost family income. Zimbabwe has recently witnessed an increase in child headed households. Often children as young as 12 years old must drop out of school and/or travel to urban areas to earn money to provide for younger siblings.

Despite the fact that education is neither free nor compulsory, the gross primary school enrollment has remained relatively high. In 1997, it was 112.5 percent. In 1994, the gross and net primary attendance rates were 108.9 and 84.6 percent respectively. However, certain segments of the educational system are particularly weak. Few commercial farms have schools. As a result, students must often travel long distances to attend classes. Landowners who do provide schools have allegedly suspended children from attending classes if they refuse to work in the fields. Furthermore, the impact of the recent political turmoil, drought and impending famine in Zimbabwe has yet to be determined and will most likely have a negative effect on school attendance rates.

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3914 U.S. Embassy- Harare, unclassified telegram no. 2971.
3919 USAID, Demographic Health Survey [CD-ROM], 2002.
3921 According to an April 2001 report in the Daily News, 125,000 children living on farms in Zimbabwe do not attend classes because there are no schools. See Ibid.
In addition, the closing of more than 500 schools on formerly white-owned farms, has left over 250,000 children unable to attend classes. Due to HIV/AIDS and low teacher salaries, schools are faced with a shortage of teachers.

### Child Labor Laws and Enforcement

The Labor Relations Regulation of 1997 sets 12 years as the minimum age for general employment but prohibits children under 16 years of age from engaging in activities other than light work, apprenticeships, or vocational training. Children under 18 years may not be employed during school terms without the approval of the Ministry of Labor. In addition, children may not be employed in night work or in work which interferes with their education, or work with hazardous substances or special machinery. Additional protection is provided by the Labor Relations Act, which stipulates that any employment contract for a child under 16 years cannot be considered legally valid. The Children’s Protection and Adoption Act of 1972 protects children’s right to education and prohibits certain types of street vending and trading by children under 16 years. Forced child labor is also prohibited.

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3922 Several officials have noted a surge in illegal gold panning among children as young as 10 years old. See Tsitsi Matope, “Rushinga Faces Food Shortage,” allAfrica.com, The Herald (Harare), August 16, 2002, [cited December 19, 2002]; available from http://allafrica.com/stories/printable/200208160250.html. A Southern Africa Development Community report states that 18 percent of Zimbabwe’s families have removed children from school in the past two months due to an inability to pay school fees. See “Eighteen Percent of Cash-Strapped Parents Withdraw Children From Schools,” allAfrica.com, Financial Gazette (Harare), September 26, 2002, [cited December 19, 2002]; available from http://allafrica.com/stories/printable/200209260335.html. According to human rights groups, political violence may have displaced as many as 30,000 people. Many have joined squatter communities surrounding Zimbabwe’s major cities. Services in these communities, including education, range from poor to non-existent. See “Citizens Watch.”


3925 Government of Zimbabwe, Labour Relations Regulations: Employment of Children and Young Persons, (1997), [cited October 4, 2002]; available from http://ilis.ilo.org/cgi-bin/gpte/stbna/natlexe/46825. Light work is defined as anything that will not threaten a child’s education, health, safety, rest, or social, physical, or mental development. See U.S. Embassy- Harare, unclassified telegram no. 2971.


Pursuant to the Sexual Offenses Act of 2001, a person convicted of prostituting a child under the age of 12 is subject to a fine of up to ZWD\(^{3930}\) \(35,000\) (USD 653) or imprisonment of up to seven years.\(^{3931}\) No laws specifically address trafficking in persons.\(^{3932}\) However, the Immigration Act considers anyone who is a prostitute to be a “prohibited person” and penalizes anyone who through bribery or misrepresentation attempts to transport prohibited persons.\(^{3933}\) Furthermore, common law criminalizes the removal of a child without the consent of the child’s parent or guardian.\(^{3934}\)

Labor regulations, and specifically child labor laws, are poorly enforced because of weak interpretations of the laws themselves, a lack of labor inspectors, and a poor understanding among affected workers of basic legal rights.\(^{3935}\)

The Government of Zimbabwe ratified ILO Convention No. 138 on June 6, 2000, and ILO Convention No. 182 on December 11, 2000.\(^{3936}\)

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\(^{3930}\) Zimbabwe dollars.


\(^{3932}\) U.S. Department of State, Country Reports- 2001: Zimbabwe, 776-82, Section 6f.

\(^{3933}\) Protection Project, “Zimbabwe.”

\(^{3934}\) UN Committee on the Rights of the Child, Initial Reports of States Parties: Zimbabwe, para. 265.


Territories and Non-Independent Countries

There is limited information regarding the extent and nature of child labor and the quality and provision of education in non-independent countries and territories eligible for GSP, AGOA and CBTPA benefits. These areas generally are not eligible to become members of the ILO, and ILO Convention 138 and ILO Convention 182 do not apply to any of them.3937

Anguilla (territory of the United Kingdom)

Statistics on the number of working children under the age of 15 in Anguilla are unavailable. Information is unavailable on the incidence and nature of child labor. Education is compulsory between the ages of 5 and 17.3938 In 1998, the gross primary enrollment rate was 100.7 percent, and the net primary enrollment rate was 98.9 percent.3939 While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.3940 The Government of Anguilla has collaborated with UNESCO to develop an Education for All plan that aims to raise educational achievement levels, improve access to quality special education services, provide human resource training for teachers and education managers, promote curriculum standardization, and increase the emphasis on social education and the involvement of teachers in educational planning.3941

Aruba (territory of the Netherlands)

Statistics on the number of working children under the age of 15 years in Aruba are unavailable, and there is limited information on the incidence of child labor in the country.3942 Article 260 of Aruba’s Criminal Code cites as a criminal offense the trafficking of girls, boys and women, with a maximum sentence of five years imprisonment.3943

3937 ILO official, electronic communication to USDOL official, January 31, 2002. Also Julie Misner, USDOL Office of International Organizations, electronic communication to USDOL official, September 3, 2002. Most of the areas covered in this summary report are considered by the ILO to be non-metropolitan territories and therefore, are ineligible to become members of the ILO. An ILO member can submit a declaration to the ILO requesting that these conventions apply to their non-metropolitan territories. See ILO, Constitution, Chapter 1, Article 1 and Chapter III, Article 35 [cited November 12, 2002]; available from http://www.ilo.org/public/english/about/iloconst.htm.


3939 Ibid.

3940 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3943 Ibid.
Education is not compulsory in Aruba. Children generally attend primary school from age 6 to 12. There are a total of 32 primary schools in the country. According to Article 1.20 of the Constitution of Aruba, education is supposed to be a constant concern of the government and be freely received. Statistics on education enrollment and attendance rates for children in Aruba are unavailable. The government has made efforts to improve education quality in Aruba by upgrading primary and secondary education and vocational training. In May 2000, the Minister of Education and Employment established a steering committee charged with preparing a survey of the problems of children not attending school. In November 2000, a campaign, “Accion Ban Scol (Go To School Campaign),” was launched that involved the registering of non-school going children and the collection of data on such children as the basis for future policy. The government finances a majority of the country’s education system, apart from private schools. In 1994, the Government of Aruba dedicated 16.6 percent of its budget to recurrent educational expenses. The government has also agreed to a framework of cooperation with the European Community that sets as priorities the island’s campaign against poverty and the pursuit of sustainable economic and social development.

British Virgin Islands (territory of the United Kingdom)

Statistics on the number of working children under the age of 15 in the British Virgin Islands are unavailable, but children reportedly work occasionally during the afternoons and on weekends in

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3946 Ibid.

3947 United Nations, *Core document forming part of the reports of the States Parties*.


3950 Ibid.

3951 Aruba’s education system is organized in a fashion similar to that of the Netherlands. See Government of Aruba, *General Information about Aruba: Education*.

3952 Ibid. See also United Nations, *Core document forming part of the reports of the States Parties*.

family-owned businesses, supermarkets and hotels. Under the Education Ordinance, children must attend school until the age of 14. The Labor Standards set the minimum age for employment at 14 years.

**Cook Islands** (self-governing state in free association with New Zealand)

Statistics on the number of working children under the age of 15 in the Cook Islands are unavailable, but children are reported to assist with domestic chores, help with family agricultural activities, work as performers on a part-time basis in cultural dance groups, and work in shops. Under the Education Act of 1986-1987, schooling is compulsory for children between the ages of 5 and 15.

The Industrial and Labor Ordinance of 1964 prohibits the employment of children under the age of 16 between the hours of 6 p.m. and 7 a.m. and on Sundays and holidays. Children under the age of 18 may not work in dangerous occupations, unless they have been trained to handle dangerous machinery. The Labor and Consumer Affairs Division of the Ministry of Internal Affairs is responsible for monitoring the implementation of child labor laws.

**Falkland Islands** (territory of the United Kingdom)

Statistics on the number of children working under the age of 14 are unavailable. According to the Government of the Falkland Islands, in 2002 there were no children below compulsory school age working full time and there have been no recent cases involving the commercial sexual exploitation of children. Information on the nature of child labor in other sectors is unavailable. Education is free and compulsory up to the end of the academic year when a child reaches 16 years of age. In 2002, the government reported that all children between the ages of 5 and 16 in the Falkland Islands were enrolled in the education system. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

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3954 Sheila Brathwaite, Permanent Secretary, Ministry of Natural Resources and Labour of the Government of the British Virgin Islands, letter to USDOL official, September 14, 2000.
3955 Ibid.
3956 Ibid.
3957 Andrew Young, U.S. Embassy- Auckland, electronic communication to USDOL official, October 1, 2001.
3958 Ibid.
3959 Ibid.
3960 Ibid.
3961 Ibid.
3962 The Government reported that it has no records of how many children between the ages of 14 and 18 are working on a part-time basis. Alison A.M. Inglis, Falkland Islands Attorney General’s Office Crown Counsel, electronic communication to USDOL official, September 11, 2002.
3963 Ibid.
3964 Ibid.
3965 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
The Employment of Children Ordinance prohibits the employment of children under the age of 14, however children of compulsory schooling age cannot work during school hours, before 7 a.m. or after 7 p.m. on any day, for more than two hours on a school day or on Sundays. The Employment of Women, Young Persons and Children Ordinance of 1967 prohibits children under the age of 18 from working in industrial establishments. The government is not currently implementing any policies or programs to address child labor, as this is not perceived to be a problem, because of the 100 percent school enrollment rate and the restrictions on employment in the Children’s Ordinance. The Government is working to improve basic education by investing in an extension of its Infant and Junior school.

Gibraltar (territory of the United Kingdom)

According to the Government of Gibraltar, there were no reports of child prostitution in Gibraltar in the period from 1998-2001. Other statistics on the number of working children under the age of 15 in Gibraltar are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is free and compulsory between the ages of 4 and 15. Slavery, servitude and forced labor are prohibited under the Gibraltar Constitution Order of 1969.

Montserrat (territory of the United Kingdom)

Statistics on the number of working children under the age of 15 in Montserrat are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is compulsory for children between the ages of 5 and 14, and free up to the age of 17. The Government of Montserrat developed an Education in the Country Policy Plan for 1998-2002 in conjunction with the United Kingdom. Under this plan, the government is supporting initiatives in the areas of curriculum development, student assessment and evaluation, professional development for teachers, post-secondary education expansion, and educational infrastructure and information technology.

3966 Inglis, electronic communication, September 11, 2002.
3967 Ibid.
3968 Rosalind Cheek, Falkland Islands Crown Counsel, electronic communication to USDOL official, December 21, 2000.
3969 Ibid.
3970 Inglis, electronic communication, September 11, 2002.
3974 Alex Ackie, Governor’s Office Clerical Officer, Government of Montserrat, electronic communication to USDOL official, January 23, 2001.
**Netherlands Antilles** (territory of the Netherlands)

Statistics on the number of working children under the age of 15 in the Netherlands Antilles are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is compulsory between the ages of 6 and 15. In 1998, the gross primary enrollment rate was 111.4 percent. The net primary enrollment rate is unavailable. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The Government of Netherlands Antilles has collaborated with UNESCO to develop an Education for All plan that aims to improve learning achievement and achieve universal access to and completion of primary education.

**Niue** (self-governing state in free association with New Zealand)

Statistics on the number of working children under the age of 15 in Niue are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is compulsory for 8 years. Niue has one primary school, and in 1995, the gross and net primary enrollment rates were both 100 percent. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The Government of Niue has collaborated with UNESCO to develop an Education for All plan to improve learning achievements and provide better educational opportunities for children with special needs.

**Pitcairn Islands** (territory of the United Kingdom)

In 2002, the Government of Pitcairn Islands reported that there were no working children in the territory. Children under the age of 15 are prohibited from engaging in paid government work. Education is free and compulsory between the ages of 5 and 15. The net primary

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3978 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3982 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3985 Leon Salt, Commissioner, Pitcairn Islands, electronic communication to USDOL official, November 7, 2000.

3986 Ibid.
school enrollment rate in 2002 was 100 percent.\textsuperscript{3987} While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3988} Under Section 23, Part V of the Summary Offences Ordinance, a parent or guardian who does not ensure the regular attendance of their child at school can be fined up to NZD 25 (USD 12.86).\textsuperscript{3989}

\textbf{St. Helena} (territory of the United Kingdom)

In 2000, the Government of St. Helena reported that there were no working children in the territory.\textsuperscript{3990} The minimum age for employment is 15 years.\textsuperscript{3991} Education is free and compulsory between the ages of 5 and 15.\textsuperscript{3992}

\textbf{Tokelau}

Statistics on the number of working children under the age of 15 in Tokelau are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is compulsory for 12 years.\textsuperscript{3993}

\textbf{Turks and Caicos Islands} (territory of the United Kingdom)

Statistics on the number of working children under the age of 15 in the Turks and Caicos Islands are unavailable. Information is also unavailable on the incidence and nature of child labor. Nine years of basic education is provided by the government to children between the ages of 6 and 14.\textsuperscript{3994} In 1999, the gross primary enrollment rate was 113.1 percent, and the net primary enrollment rate was 112.7 percent.\textsuperscript{3995} While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3996}

\textsuperscript{3987} Ibid.
\textsuperscript{3988} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\textsuperscript{3989} Salt, electronic communication, August 25, 2002. For currency conversion see FX Converter, [online] [cited December 19, 2002]; available from http://carosta.de/frames/convert.htm.
\textsuperscript{3990} Gillian Francis, Government of St. Helena Assistant Secretary, electronic communication to USDOL official, November 24, 2000.
\textsuperscript{3991} Ibid.
\textsuperscript{3992} Ibid.
\textsuperscript{3993} UNESCO Institute for Statistics, \textit{National Education Systems}.
\textsuperscript{3995} Ibid.
\textsuperscript{3996} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
West Bank and Gaza Strip

The West Bank and Gaza Strip is an associated member of ILO-IPEC. In 2002, the Palestinian Central Bureau of Statistics estimated that less than 1 percent of children ages 10 to 14 are working in the Palestinian territories.\(^{3997}\) Children work in agriculture, in family shops and as street vendors. Some children also work in small manufacturing enterprises, such as shoe and textile factories.\(^{3998}\) There are also reports that children and adolescents have been enrolled in military-style camps and have participated in Palestinian armed groups.\(^{3999}\)

Education is compulsory through grade nine.\(^{4000}\) The gross enrollment rate in basic education was 96.8 percent in 1999-2000\(^{4001}\) and the net enrollment rate in 1998-1999 was 90.9 percent.\(^{4002}\) Although gross and net enrollment rates are high, many girls marry early and do not complete the mandatory level of schooling, and in rural areas and refugee camps, boys often drop out of school early to help support their families.\(^{4003}\) Closures limited children’s and teachers’ access to schooling in 2001 and student learning was reported to be negatively affected by the violent security situation.\(^{4004}\) The violence resulted in the cancellation of classes in areas under curfew,\(^{4005}\) delays in school construction and sharp declines in teaching time due to problems with teacher attendance.\(^{4006}\) There are some reports that poverty and the isolation of school closures have made some families reluctant to keep girls in school.

The minimum age for work is 15 years, but there are restrictions on the employment of children between the ages of 15 and 18, including prohibitions against night work, work under conditions of hard labor and/or jobs that require them to travel outside their domicile.\(^{4007}\) The Palestinian
Authority is responsible for enforcing the area’s labor laws; however, with only 40 labor inspectors for an estimated 65,000 enterprises, the Authority has limited capacity to enforce labor laws.\footnote{Ibid.}


\section*{Western Sahara}

Statistics on the number of working children under the age of 15 in Western Sahara are unavailable, but reports indicate that the few remaining nomadic children work as shepherds.\footnote{U.S. Department of State, \textit{Country Reports on Human Rights Practices- 2001: Western Sahara}, Washington, D.C., March 4, 2002, [cited December 19, 2002]; available from http://www.state.gov/g/drl/rls/hrrpt/2001/nea/8281.htm.} Residents of Western Sahara are subject to Moroccan labor laws that set the minimum age for employment at 15 years, and prohibit children under the age of 18 from working in hazardous occupations or at night.\footnote{Ibid. See also Lawrence Connell, U.S. Embassy- Casablanca, electronic communication to USDOL official, January 29, 2002.} Forced labor is prohibited under Moroccan law.\footnote{Ibid.} Education is compulsory for 8 years.\footnote{U.S. Department of State, \textit{Country Reports- 2001: Western Sahara}.} Information regarding government policies and programs to eliminate the worst forms of child labor in Western Sahara is unavailable.

\section*{Other Territories and Non-Independent Countries}

Information on the incidence and nature of child labor, child labor laws and legislation, and government policies and programs to eliminate the worst forms of child labor is unavailable for the following territories and non-independent countries: British Indian Ocean Territory (territory of the United Kingdom), Christmas Islands (territory of Australia), Cocos (Keeling) Islands (territory of Australia), Heard Island and MacDonald Islands (territory of Australia), Norfolk Island (territory of Australia), and Wallis and Futuna (territory of France).
## Appendix A: Table of Ratifications

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CRCOPAC = Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

CRCPSC = Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The following territories, while included in this report, are not members of either the ILO or the UN and thus are not party to the Conventions listed above: Anguilla; Aruba; British Indian Ocean Territory; British Virgin Islands; Cayman Islands; Christmas Island; Cocos (Keeling) Islands; Cook Islands; Falkland Islands; Gibraltar; Heard Island/McDonald Islands; Montserrat; Netherlands Antilles; Niue; Norfolk Island; Pitcairn Islands; Saint Helena; Tokelau; Turks and Caicos Islands; Wallis and Futuna; West Bank and Gaza Strip; and Western Sahara.
The Department of Labor’s 2002 Findings on the Worst Forms of Child Labor

Trade and Development Act of 2000